

BUREAU OF LAND MANAGEMENT  
CALIFORNIA DESERT DISTRICT  
ADVISORY COUNCIL MEETING

KERR MC GEE CENTER  
RIDGECREST, CALIFORNIA

Saturday, January 8, 2005

8:00 A.M.

## APPEARANCES

California Desert District

Advisory Council Members

William A. Betterly,  
Public-At-Large

Howard J. Brown,  
Nonrenewable Resources

James Bugera,  
Transportation/Rights-of-Way

David Charlton,  
Renewable Resources

Sheri Davis,  
Public-at-Large

Ron Kemper,  
Renewable Resources

Jon McQuiston,  
Elected Official

Dr. William Presch,  
Public-at-Large

Ron Schiller,  
Recreation

Paul Smith,  
Public-at-Large

Carol Anne Wiley,  
Environmental Protection

Linda Hansen,  
BLM District Manager  
California Desert District  
Doran Sanchez  
Public Affairs Specialist  
California Desert District

Reported by: Diana Zissos  
CSR #10030

MEETING AGENDA

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2

1 (The meeting commenced at 8:05 a.m.)

2 COUNCIL MEMBER KEMPER: Okay. Good  
3 morning, everybody. I'd like to open the meeting  
4 with the individual reports from members. We will  
5 start here on the left -- I'm sorry. Doran.

6 MR. SANCHEZ: Probably the first order of  
7 business would be to approve the minutes from the  
8 last meeting. And I prepared a form for you right  
9 there for you to sign once that consensus is reached.

10 COUNCIL MEMBER KEMPER: Okay. Doran, I do  
11 know that I have had several people come to me and  
12 have sent in corrections for the minutes.

13 MR. SANCHEZ: Okay.

14 COUNCIL MEMBER KEMPER: So do we want to  
15 discuss minutes -- make the corrections requested?

16 REVIEW MINUTES OF LAST MEETING

17 COUNCIL MEMBER BETTERLY: There is a whole  
18 bunch of corrections. They are mostly typos in  
19 there. But some of them certainly made a -- kind of  
20 a fun thing to read in the way they were misspelled  
21 different words and something.

22 And I would like to call your attention  
23 to -- if you have got it in front of you, page 34 --  
24 there it is, yes -- page 34 of the pamphlet itself.  
25 And it would be page 131, when you are interviewing,

3

1 line 8.

2 COUNCIL MEMBER KEMPER: Which page, Bill?

3 COUNCIL MEMBER BETTERLY: Page 131, line 8.

4 And it reads: "Chairman Kemper, after you have  
5 introduced Mr. Bransfield, Ray worked with us on the  
6 grazing TRT. He is always a wonderful participant  
7 and is one of those people that's very capable of  
8 'thanking' out of the box." Then there is one --

9 COUNCIL MEMBER KEMPER: Are you making fun  
10 of my country boy slang?

11 COUNCIL MEMBER BETTERLY: You didn't. That  
12 was a typo error. It was "thinking," if you  
13 remember.

14 And the same thing is true on page 56. And  
15 it's page 221. And here, we have our great counsel,  
16 Mr. Smith, making a statement. It says -- Chairman  
17 Kemper had just talked to him. And Mr. Smith  
18 answered: "Bus it's an advisory. I am advisory  
19 rather than lobby." "Bus," b-u-s. It should be  
20 "but." Those are the two funny ones in it -- there  
21 are a jillion of them, typos.

22 COUNCIL MEMBER KEMPER: Can I --

23 COUNCIL MEMBER BETTERLY: I just wanted you  
24 to know I read this thing.

25 COUNCIL MEMBER KEMPER: Can I ask of -- of

4

1 the members: Are there any changes that you would  
2 request of the court reporter at this time?

3 COUNCIL MEMBER PRESCH: Mr. Chairman, if I  
4 may, I have dutifully filled out the form. We all  
5 received a form that said page and line of a change.  
6 I would just present this to you to approve --  
7 enclose with the signed document.

8 COUNCIL MEMBER KEMPER: Thank you.  
9 Mr. Betterly.

10 COUNCIL MEMBER BETTERLY: I filled it out,  
11 too.

12 COUNCIL MEMBER KEMPER: Any other changes  
13 to the minutes?

14 Also, we had asked to be included into the  
15 record an additional exhibit. And that exhibit was  
16 provided by Jon McQuiston. I believe I have it at my  
17 office. And I can provide it, or Jon McQuiston's  
18 office can provide it.

19 I believe it was the Congressional Record  
20 regarding Surprise Canyon. That was to be included  
21 in the minutes, correct, Jon?

22 COUNCIL MEMBER MC QUISTON: That was the  
23 intent, Mr. Chairman.

24 COUNCIL MEMBER KEMPER: So we will supply  
25 you with that, to be added -- included in the

5

1 minutes.

2 Any other changes to the minutes? All in  
3 favor of approval the minutes, signify by saying  
4 "aye."

5 (Chorus of ayes.)

6 COUNCIL MEMBER KEMPER: Any opposed?

7 (No audible response.)

8 COUNCIL MEMBER KEMPER: Motion carries  
9 unanimously.

10 MR. SANCHEZ: You will need to sign and  
11 date it, Ron.

12 COUNCIL MEMBER KEMPER: Today's date is the  
13 7th or the 8th?

14 MR. SANCHEZ: Today is the 8th.

15 COUNCIL MEMBER KEMPER: Before I go any  
16 further, I have been bad, and I have not showed up  
17 here with a pen. Does anybody have an extra pen?

18 COUNCIL MEMBER SCHILLER: Here you go.

19 COUNCIL MEMBER KEMPER: Okay. We will  
20 start with the individual counsel person's reports.  
21 And I will start on the left-hand side. I will ask  
22 you to introduce yourself and the position that you  
23 hold and who you represent, and then give your  
24 report, please.

25 /// /// ///

6

## 1 COUNCIL MEMBER REPORTS

2 COUNCIL MEMBER SCHILLER: My name is Ron  
3 Schiller. And I represent recreation. I really  
4 don't have a lot to talk about. I would like to  
5 share one thing with the council.

6 Yesterday, when we talked about recreation  
7 and the El Pasos, I spoke some about gem and mineral  
8 collecting. And that's kind of abstract to a lot of  
9 folks. But what I did today is, I just brought some  
10 examples to pass around. All these are local. Most  
11 of them are directly out of the El Pasos. I just did  
12 want to share that, so people had a better  
13 understanding of what I was talking about with that  
14 activity.

15 The other -- other thing I just wanted to  
16 mention, for the record, was my concern regarding all  
17 of the recent newspaper reports about the lawsuit  
18 over the West Mojave Plan and the Northeast Mojave  
19 Plan -- I find that very frustrating as a member of  
20 the public who has participated in that process for  
21 many years, actually.

22 To find the same folks suing over and over  
23 and over, yet I never see them at any of the desert  
24 advisory -- at any of the West Mojave meetings, none  
25 of the work groups, or nothing else. And I just



7

1 would like to say that I feel that these people who  
2 continuously sue but don't participate in the process  
3 rob me and the rest of the public out of our right to  
4 participate. And I strongly resent that. And that's  
5 about all I have to say. Thank you.

6 COUNCIL MEMBER BUGERA: Jim Bugera.  
7 Transportation and rights-of-way.

8 And to begin with, I would like to say  
9 thank you to Diana who is recording our minutes  
10 today. Diana wasn't recording our minutes in  
11 Loughlin. So she looked a little paranoid when we  
12 were talking about the mistakes. I just wanted to  
13 put her at ease.

14 Second, the field trip yesterday, I really  
15 enjoyed that. I didn't care that much for the wild  
16 burros. But that was a great project. And I can't  
17 wait to get back out there again.

18 Anybody who hasn't seen it, we ought to put  
19 up signs and -- take some field trips and class field  
20 trips and things out there. That was an incredible  
21 experience. So that's all I have to say.

22 COUNCIL MEMBER WILEY: Carol Wiley. I  
23 represent the environmental community.

24 The only thing I have to report, I did work  
25 on a project with the Needles Field Office on arundo

8

1 removal, which was with the Needles Field Office and  
2 the Society For the Conservation of Big Horn Sheep.  
3 And it was an educational experience to me.

4 I have done some salt cedar removal. But I  
5 have never worked on arundo before. And it was  
6 pretty amazing stuff. But we did remove it from the  
7 springs, Bonanza Springs. And so it was a very  
8 successful venture, I believe.

9 The other thing I would like to mention was  
10 that the Desert Managers Group put on a Mojave Desert  
11 Science Symposium recently that was -- it was a  
12 three-day event that was just excellent. They don't  
13 do that every year. But I would highly recommend it  
14 when they do do that again. It will be a couple of  
15 years, probably.

16 COUNCIL MEMBER SMITH: Paul Smith  
17 representing the public at large.

18 I have two reports. One, we continue to  
19 receive positive feedback from an event sponsored by  
20 the BLM and the Native American Lands Conservancy in  
21 cooperation with the National Park Service and the  
22 Desert Managers Group, hosting a native American  
23 conference on sacred lands. That was held at 29  
24 Palms, and widely respected and received. I don't  
25 know when another one will occur. But I suspect that

9

1 it will.

2 Secondly, I would like to report on  
3 something going on in the Morongo Basin, which goes  
4 from the Morongo Valley, Yucca Valley, out to 29  
5 Palms and Wonder Valley as well as the Landers area.

6 There is a marvelous, somewhat unique  
7 collaboration going on between environmental groups,  
8 citizens' activist groups, the business community,  
9 the tourism community, the Sheriff's Department, BLM,  
10 the Highway Patrol, and the National Park Service, to  
11 do a real public outreach program to curb illegal  
12 off-road vehicle driving, which is a particular  
13 problem there because it's such an urban interface  
14 and checkerboard land area.

15 And as recently as yesterday, they met. It  
16 was probably 12 people meeting, working on the  
17 concepts that should go into a brochure and maps of  
18 the area, incorporating the latest designated routes  
19 and the things that will be incorporated into the  
20 Mojave plan, as well as signage.

21 And I should say that one of the major  
22 local off-road vehicle distributors is participating.  
23 So it's something to watch and something to sort of  
24 encourage us that in fact it doesn't always have to  
25 be two sides of the table fighting with each other,

10

1 but it can be a successful collaboration.

2 And Roxie Trost in the Barstow office and

3 Russ Scofield from the Desert Managers Group and the

4 BLM are playing a very instrumental role in that.

5 COUNCIL MEMBER CHARLTON: My name is David

6 Charlton. I represent national resources. And I am

7 a botanist and represent the California Native Plant

8 Society.

9 COUNCIL MEMBER KEMPER: What position do

10 you hold?

11 COUNCIL MEMBER CHARLTON: National

12 resources?

13 Renewal resources, I'm sorry.

14 I think the biggest issue lately has been a

15 federal decision on a listing package that the

16 California Native Plant Society has turned in several

17 times on desert cymopterus. In the past, it has

18 been turned down without comment. And it was

19 determined that it wouldn't be listed again this last

20 time.

21 The reason I wanted to mention it is, one

22 of the main things that they look at are threats.

23 And primarily the largest portion of the population

24 is on Edwards Air Force Base. And that facility has

25 very little surface disturbance.

11

1       The problem with this species really is its  
2 biology. It's sort of doing a very poor job of  
3 reproducing. It appears to be moving up in  
4 elevation. The lower elevation populations appear to  
5 be getting smaller on their own, with no effect from  
6 man. And the upper populations that are at about  
7 3,300 feet, instead of 2,300 feet, seem to be doing  
8 fairly well, as far as coming up.

9       There are very few plants that produce  
10 viable seed. Of all the thousands of plants that I  
11 have looked at during field surveys, I have only seen  
12 one seedling. So the species biology seems to be its  
13 main threat. And that's a very difficult concept to  
14 understand.

15       And the listing package does not really  
16 take that into consideration. So despite the fact  
17 that we have documented a lot of populations of this  
18 plant -- I have always been a little confused about  
19 why they particularly picked that species to work  
20 with, rather than some others.

21       But the Native Plant Society is going into  
22 a visionary mode. They are going to take a look at  
23 things and see where they are going to go from there,  
24 as far as deciding what the biggest issues are. So  
25 that we don't have these non-successes in the future.

12

1        So that's a primary issue now. We probably  
2 will have more going on next meeting after these  
3 visionary meetings that we have.

4        COUNCIL MEMBER KEMPER: Bill.

5        COUNCIL MEMBER PRESCH: I am Bill Presch.  
6 I am public at large with emphasis in education. I  
7 just have a short report.

8        At the last meeting, I indicated we had  
9 been doing some research on a really endangered  
10 species, the Mojave tui chub. And I summarized our  
11 work at Lake Tuendae, T-u-e-n-d-a-e, at Desert Study  
12 Center, and at Camp Cady.

13       And shortly after the meeting we did get up  
14 here to Ridgecrest and looked at the populations on  
15 the Naval Weapons Station. We trapped 25 traps. And  
16 we did 12 runs. And we got 22 fish.

17       So the fish are here. But we think the  
18 major problem with the effort was the temperature.  
19 The temperature of the water was only nine degrees.  
20 The early part of November is much too late in the  
21 year, apparently, to fish for these animals.

22       Since we didn't catch very many fish, we  
23 didn't have enough to mark and recapture. So we  
24 don't really have an estimate. We are coming back in  
25 April. And, hopefully, I will have more data on that

13

1 particular species.

2       My other comment is that we spend a lot of  
3 time, and the desert tortoise came up on many  
4 occasions as it relates to the recent Illston order.  
5 And for those of you who may not have seen it, this  
6 is a new desert tortoise recovery plan assessment  
7 that was released by the committee and by the  
8 University of Utah, I believe, that a lot of  
9 information now will be based on.

10       I brought it along. If anybody would like  
11 to take a look at it, or if you want to copy, I can  
12 probably print off some more and make sure you get a  
13 copy.

14       One of the things we talked about yesterday  
15 was monitoring the tortoise. And in this report,  
16 there is a section on that. And there are 22  
17 recommendations by the committee for how to monitor.  
18 And that's just the area of monitoring. They also  
19 make recommendations on study plots and statistics  
20 and health and disease and a number of things. So I  
21 think you will be running across in reference to this  
22 particular report in the near future. Thank you.

23       COUNCIL MEMBER KEMPER: Howard.

24       COUNCIL MEMBER BROWN: Howard Brown,  
25 representing non-renewal resources. I wanted to

14

1 comment on a couple of things.

2 One, 2004 was, I think, a pretty good year  
3 for the few remaining operating mines in the Mojave,  
4 especially for industrial minerals. The demand is  
5 way up. There are shortages of cement, and at Omnia,  
6 all our plants are running at capacity.

7 We found there are shortages of qualified  
8 over-the-road truck drivers, and the railroads are  
9 shipping record volumes. And so the mines that are  
10 there are doing pretty good, particularly Dustfield  
11 Mineral.

12 I also wanted to talk about HR-4571,  
13 Lawsuit Abuse Reduction Act, which was passed by the  
14 House in September. And that targets baseless  
15 lawsuits and supposedly will reduce frivolous  
16 lawsuits. 60 percent of the controlled burns were  
17 appealed by environmental groups. And of 180  
18 challenges, 161 were found to be baseless and thrown  
19 out.

20 And so HR-4571, if it up holds with the --  
21 gets through, you know, the Senate and everything,  
22 would make mandatory sanctions for frivolous --  
23 filing frivolous lawsuits and the level of monetary  
24 penalties against the parties making them. So it  
25 might reduce the number of baseless lawsuits.



15

1       The other thing I wanted to note was the  
2 Caltrans I-15 rest stop project, which was sort of  
3 introduced at the field trip at the last meeting by  
4 Elaine Downing of the Needles office. And she  
5 indicated that the project -- Caltrans and the BLM  
6 wanted to include mining displays in the rest stops.

7       So I mentioned that to Diana Shumway, who  
8 made a presentation at the MDMAC, which is the Mojave  
9 Desert Mining Advisory Council, meeting. And the  
10 industry supports the idea of playing a role in  
11 developing the displays. But they felt that the  
12 current focus was on mining history rather than the  
13 current mining activities.

14       And since mining is the largest industry in  
15 San Bernardino county, they felt that more focus  
16 needs to be placed on not only the mining that is  
17 occurring now, but making the connection between the  
18 mining and the thousands of consumer products that  
19 all of the people that stop at the road side rest  
20 stop use that are made from those products that are  
21 mined in San Bernardino county.

22       So everybody felt the display would be  
23 really good. And the industry wants to take part in  
24 developing it, but would like to have a greater focus  
25 on current mining activities as well as the

16

1 historical aspects. And that's all I am going to

2 say.

3 COUNCIL MEMBER KEMPER: Jon McQuiston.

4 COUNCIL MEMBER MC QUISTON: Jon McQuiston,

5 representing an elected official on the board.

6 And my district includes the First District

7 of Kern County, which Ridgecrest is located within.

8 And I would like to personally welcome you all here.

9 I have two items to report, Mr. Chairman.

10 One was at the last Quadstate meeting, I requested

11 the council approve a letter of support for the

12 Desert Managers Group to include in its body local

13 government representation.

14 I was invited to be at their next meeting

15 next Wednesday. And I will be on their agenda at

16 10 o'clock in order to make a presentation in

17 furtherance of that. They will be acting on our

18 request Thursday. And I appreciate the letter from

19 the council, and hopefully we will be --

20 COUNCIL MEMBER BETTERLY: Where will the

21 next meeting be held?

22 COUNCIL MEMBER MC QUISTON: It will be in

23 Borrego Springs. And I can -- I don't have it here

24 with me. But I can certainly find out the details on

25 that.

17

1           Secondly, I was given a referral at our  
2 last meeting dealing with the subject of a quorum.  
3 And I would just like to report back that under the  
4 charter, there has to be two -- two elected officials  
5 on the board, one of which must be present, in order  
6 for the council to conduct business, but having -- if  
7 you meet that requirement of having one elected  
8 official present -- the quorum for this group is the  
9 number -- it's a majority of the number present at  
10 the meeting, not a majority of the number that are  
11 assigned to the council.

12           So if you have a majority of those present  
13 at the meeting, and that includes one elected  
14 official, you have met the requirements for the  
15 quorum.

16           I have the -- I will enter for the record a  
17 copy of the order. And that concludes my remarks.

18           COUNCIL MEMBER KEMPER: Sheri Davis.

19           COUNCIL MEMBER DAVIS: My name is Sheri  
20 Davis. I am public at large, and my emphasis is on  
21 filming. And I just want to thank Hector and Doran  
22 for a marvelous tour yesterday. I, too, enjoyed the  
23 burro and horse facility. It's a great project that  
24 I encourage everyone to go out to it.

25           I also was intrigued with the Adopt-A-Cabin

18

1 Program and how that's going forward, and the concern  
2 of the BLM towards finding and handling properly the  
3 transfer of the property -- of real property sitting  
4 on the BLM lands. So I appreciated that, also.

5 I just wanted to report that we just got  
6 the Motion Picture Association of America's economic  
7 impact for San Bernardino County for the year 2002.  
8 And it was over \$168 million. And I want to thank  
9 the BLM lands. Because those field offices are very  
10 much a part of Barstow and very much a part of that  
11 transfer of economic impact from the industry.

12 That's the main studios, the major studios,  
13 as well as some of the major commercial productions.  
14 And I am sure as you watch those commercials, you see  
15 your land, your desert land, because they love to  
16 film on it. Thank you.

17 COUNCIL MEMBER BETTERLY: My name is Bill  
18 Betterly. And I am a member at large. And I have no  
19 report.

20 COUNCIL MEMBER KEMPER: I am Ron Kemper. I  
21 represent renewable resources and grazing interests.

22 I have got quite a bit of information that  
23 I want to give to the council. I have also left some  
24 information on the back table. In the hopes of  
25 speeding up the meeting, I am just going to hand out

19

1 the information. But what I will share is that it  
2 has to do with ongoing studies that are being done in  
3 the Great Basin in Nevada and Zion as well as parts  
4 of Mojave and Nevada that are showing that -- that  
5 grazing actually has benefits.

6 They have gone back and looked at areas  
7 that have been closed off to grazing for 30 or  
8 40 years, and are finding that the plant communities  
9 are not as diverse, and that there has been some  
10 problems with invasion of exotic weed species.  
11 Whereas in the areas that adjoin them that still  
12 have grazing going on, they are not having those  
13 problems.

14 So I just wanted to make the council  
15 members aware. I am going to take about a  
16 three-minute break while I get this information out  
17 and hand it out.

18 (Pause.)

19 COUNCIL MEMBER KEMPER: Paul is giving me a  
20 hand, so we are back on the record.

21 At this time, would anybody like to -- we  
22 can review the agenda. If there needs to be any  
23 additions at this time, there can be. Anybody?

24 And I will share with you that I am having  
25 a little difficult time seeing Carol, Bill, Howard,

20

1 and Jon. If I am not recognizing you, kind of stick  
2 your hand out.

3 Anybody?

4 One thing that I would like a few minutes  
5 to talk about personally is -- maybe with Linda and  
6 the people from the grazing TRT -- is a challenge  
7 that I see that needs to be addressed. And if we  
8 could include that on the agenda at some point, I  
9 would be grateful.

10 Okay. Field tour summary? Who is doing  
11 that? Hector?

12 FIELD TOUR SUMMARY

13 MR. VILLALOBOS: Good morning. Pleased to  
14 be here. Yesterday --

15 COUNCIL MEMBER KEMPER: Little louder,  
16 Hector.

17 MR. VILLALOBOS: Yesterday we got a little  
18 snowed out. So all we got to really look at was the  
19 corral. And I appreciate everybody's comments that  
20 were made at the meeting yesterday after the field  
21 trip.

22 We had kind of a discussion after we got  
23 snowed out from making any further trip out. There  
24 were an awful lot of accidents and spin-outs and  
25 jackknifed trucks in and around our area. So it's

21

1 probably a good thing we didn't get on the road to

2 try to make our field trip stops.

3 But we discussed them in the office. And I

4 appreciate all the comments that I got from everyone.

5 The field trip, I was -- what I was trying to get

6 across, my goal, was that we have an awful lot of

7 multi-use activities in the public lands. You got to

8 see a complete -- you didn't get to see -- there is

9 an open OHV area like the Spanglers. There are

10 limited use areas for hundreds of miles of trails out

11 there.

12 You got to see what our efforts are in the

13 Adopt-A-Cabin Program. We discussed it thoroughly.

14 I got some good ideas on how we are going to kind of

15 restructure our policies on that.

16 We talked about some of our grazing

17 concerns that we have and our approvals and how we

18 are making progress on that. And we talked a little

19 bit about the El Pasos, the recreation opportunities

20 there. There is trails.

21 That is one area I think that will be on

22 our radar screen to start doing some scoping to get

23 input, a lot of input, from the public as to how we

24 are going to refine the trail system in there, what

25 do we need, and what recreation opportunities we

22

1 should be looking at. And I am getting familiar with  
2 some of those myself.

3 And I have gone out and collected some  
4 specimens myself. And they kind of look like yours.  
5 They are not cut or polished.

6 But that's in a nutshell that we do. And I  
7 really do appreciate all the comment and the feedback  
8 that we got yesterday, especially with the  
9 Adopt-A-Cabin Program. It's a real concern of mine.  
10 I feel like these cabins represent part of our  
11 culture, part of our community history.

12 And these structures -- there is other ways  
13 to address the issues related to those structures in  
14 a way that's a win/win situation, where the public  
15 can go out and enjoy some of these old structures and  
16 get a feeling for our recent past, and the history of  
17 the miners out there.

18 And we want to try and find a way to  
19 preserve these. We don't necessarily want to  
20 preserve them like the Park Service might on their  
21 land. But there is -- there must be a way, and we  
22 have found some ways, to try to preserve these, with  
23 volunteer help.

24 I just got a note from Steve that we had  
25 something like almost 25,000 hours of volunteer work



23

1 that was done last year. And a lot of that was in  
2 the Adopt-A-Cabin Program.

3 So that's my summary. If we have any  
4 further questions today, I would be glad to answer  
5 them.

6 COUNCIL MEMBER BROWN: Howard Brown.

7 In the discussion yesterday, I understood  
8 there was like 45 of these cabins. Have they all --  
9 is that the number that have been adopted, A?

10 And, B, is there some sort of map that  
11 shows the location of them, so that people would know  
12 how to go to them?

13 MR. VILLALOBOS: That is a good question,  
14 Howard. If you were to come into our office, we  
15 could tell you where those cabins are located  
16 throughout the area. We did have a map.

17 There was some concern with publishing  
18 information on these cabins without first going  
19 through a process where we consult with the State  
20 Historic Preservation Office. And so that's what we  
21 are preparing to do right now. And I hope that we  
22 will be able to get some information back out to the  
23 public that's published.

24 However, if people wanted to get  
25 information as to where they might go find these

24

1 things, these locations on the ground, certainly  
2 contact our office, and we can tell you, and the  
3 public. And we have been doing that.

4 How many cabins are officially kind of in  
5 the Adopt-A-Cabin Program? I am going to have to ask  
6 one of our recent retirees and new volunteers.

7 Steve, how many are there?

8 MR. SMITH: We have inventoried -- we know  
9 of 46 structures on public land in the Ridgecrest  
10 Field Office -- I am Steve Smith, retired BLM  
11 employee.

12 So there are 46 that we know of that are on  
13 public land. And they are in various stages of being  
14 stabilized and maintained by volunteers. Some have  
15 been extensively worked on and restored. And others  
16 haven't had a whole lot done on them yet.

17 So it's kind of -- that spans a whole range  
18 of activities --

19 COUNCIL MEMBER KEMPER: Steve, how many are  
20 formally under the Adopt-A-Cabin Program where they  
21 actually have an adopter?

22 MR. SMITH: When we talk about formally  
23 being adopted under the Adopt-A-Cabin Program, that  
24 gets a little vague, too. Because we try and have  
25 Memorandums of Understanding. For many years, we

25

1 were using MOUs. So we probably have about 15 signed  
2 MOUs.

3 But even there, some of the MOUs had  
4 claimants or cabin owners assigned. And others, it  
5 was BLM and the volunteers. So even those were done  
6 a little bit differently. That's where Hector has  
7 been working to try and consolidate this program, so  
8 we have got a process and it's uniform throughout.

9 So it's been -- it's been handled primarily  
10 by volunteers since 1989. I mean, not having the  
11 internal resources to really put a lot of staff time  
12 on it, we have discovered that there would usually be  
13 a person that would take a lead for each cabin, and  
14 then they would kind of, with their volunteers, work  
15 to save these cabins.

16 So the actual structure has been pretty  
17 loose. And that's where we are trying to tighten it  
18 up and get a more formalized -- what, do we have to  
19 have MOUs, quit claims? We talked about that quite a  
20 bit yesterday. How do we determine ownership of the  
21 cabins, et cetera?

22 MR. VILLALOBOS: So some of these are in  
23 good shape, because the volunteers have been taking  
24 care of them. And some of them are in good shape  
25 because they are in such remote areas, that the kind

26

1 of activities that result in vandalism to them

2 doesn't happen.

3 We have a whole bunch, though, that are in

4 the middle, where they are vulnerable. They have

5 gotten -- some vandalism has occurred in there. And

6 the degree of stabilization varies. And there is

7 probably more structures out there.

8 I mean, I think we came up with a list.

9 And -- which includes both structures that have

10 basically disappeared, and all we have is a pile of

11 wood or a cement slab, and that sort of thing that's

12 just left over. And even those, we are thinking

13 about. Because there is some -- there may be some

14 historic artifacts in and around those areas, and

15 might be related to that era of mining.

16 COUNCIL MEMBER KEMPER: Anybody else?

17 Howard.

18 COUNCIL MEMBER BROWN: One more question.

19 I am glad you mentioned that these are -- the ones we

20 are talking about are in the Ridgecrest District

21 alone. There must be others in other BLM districts.

22 And are there Adopt-a-Cabin Programs, say, in Barstow

23 or Needles or whatever?

24 MR. VILLALOBOS: I am not aware that this

25 program is -- it's not a national program. It's

27

1 something that was started here in Ridgecrest before

2 I got here.

3       Traditionally, the policy has been for some  
4 of the trespass cabins to be basically removed off  
5 the public lands. But that activity as -- we are  
6 looking at -- the national office has asked us on  
7 several occasions to give them some feedback and give  
8 them information as to how we are handling this. And  
9 I think they are interested in what we are doing at a  
10 national level.

11       But, like I said, under our regulations,  
12 probably the traditional approach to some of these  
13 cabins is to just leave them alone, don't touch them,  
14 and mother nature will take care of it, or others  
15 will. Or we have them removed if they are liability  
16 type situations.

17       COUNCIL MEMBER MC QUISTON: Mr. Chairman.

18       COUNCIL MEMBER KEMPER: Jim.

19       COUNCIL MEMBER BUGERA: I have two  
20 questions. One is: Do we have a complete -- Jim  
21 Bugera -- we have a complete photo record and a  
22 record of the materials and the position of these  
23 cabins, so that if we were to want to rebuild them  
24 some day as a re-creation for maybe a future museum  
25 somewhere, that we could do that to an accurate spec?

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1 MR. VILLALOBOS: No, we don't. We don't  
2 have a complete record on these.

3 COUNCIL MEMBER BUGERA: And two is: Can we  
4 use this in bargaining with, say, off-road vehicle  
5 groups and people who are constantly, say, taking us  
6 to court for a milk-vetch or a tortoise or something,  
7 saying, well, look, if we are going to give you our  
8 campsites, we want you to maintain one of these  
9 cabins?

10 MR. VILLALOBOS: Well --

11 COUNCIL MEMBER BUGERA: I mean, I don't  
12 think it would be asking too much to say to them,  
13 look, we are preserving your tortoise, can you  
14 preserve our cabins?

15 MR. VILLALOBOS: This program has a way of  
16 bringing people together from all sorts of  
17 backgrounds and attitudes and thinking. We have  
18 people that are -- that are on the pro-multi-use  
19 side, and we have people that are environmentally  
20 minded.

21 And when we see those kinds of volunteers  
22 coming together to do a project in the volunteer --  
23 in the Adopt-A-Cabin Program, it serves to not  
24 polarize but to get people together. And there have  
25 been other situations, though, here and there, where

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1 there has been some criticism here and there, where I  
2 think some folks believe that the Adopt-A-Cabin  
3 Program is something like a special club, a hunter's  
4 lodge type of a situation. And that's -- that's  
5 where we started to get a little polarization. It  
6 was kind of like, who got there first, and --

7 COUNCIL MEMBER KEMPER: Whose cabin is it?

8 MR. VILLALOBOS: -- whose cabin is it? I  
9 got there first, and I want it next weekend, and --  
10 in the more popular places. But that's the only  
11 friction that we found.

12 And using it as a chip with folks  
13 doesn't -- I don't think it's going to work. I think  
14 it's already a chip. It brings people together, for  
15 the most part.

16 COUNCIL MEMBER BUGERA: Thank you.

17 COUNCIL MEMBER KEMPER: Jon McQuiston.

18 COUNCIL MEMBER MC QUISTON: I like the  
19 concept from the viewpoint you talked about of  
20 preserving historic -- cultural, historic. I don't  
21 think, no matter what interest you may represent, if  
22 you can get that diverse group to come together, in  
23 and of itself, that's something that's worth  
24 pursuing.

25 It may be beneficial, in one of the DAC

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1 meetings, to maybe actually have a presentation  
2 showing some of these, the before and after. And I  
3 guess the question would be: Based on what you have  
4 learned, and lessons learned, is this something that  
5 our council should encourage be expanded to other  
6 field offices within the California Desert  
7 Conservation Area?

8 MR. VILLALOBOS: We can definitely put  
9 together an opportunity to get some of our volunteers  
10 and some of our friends' groups at these cabins and  
11 the BLM in showing you some real win/win situations  
12 out there.

13 And I think what we need to do is work out  
14 some policies. And that's what I am striving for,  
15 policies that I will be going to the state office  
16 with that involve the ownership question on some of  
17 these cabins, the consultation question with the  
18 state historic preservation officer. And I am  
19 hopeful that this will turn into kind of a state-wide  
20 policy.

21 COUNCIL MEMBER MC QUISTON: Hypothetically,  
22 let's say, in your judgment, based on your experience  
23 and what you have learned, this is something that's  
24 worth pursuing?

25 MR. VILLALOBOS: I think so, yes.



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1 COUNCIL MEMBER MC QUISTON: Would it be  
2 beneficial then before, you know, you expand it,  
3 because of the issues you raised on scheduling and  
4 ownership and so forth, for this group to maybe put  
5 together a TRT with the various stakeholders to help  
6 assimilate whatever those criteria ought to be?

7 MR. VILLALOBOS: Yes.

8 COUNCIL MEMBER MC QUISTON: Just a  
9 question, perhaps a suggestion.

10 MR. VILLALOBOS: I think it would be  
11 beneficial.

12 COUNCIL MEMBER KEMPER: Ron.

13 COUNCIL MEMBER MC QUISTON: Field trip.

14 MR. VILLALOBOS: Yes. Field trip. When  
15 it's not snowing.

16 COUNCIL MEMBER KEMPER: Ron Schiller.

17 COUNCIL MEMBER SCHILLER: I would like to  
18 thank Hector for his support for this Adopt-a-Cabin  
19 Program. I would like to speak about the situation  
20 before the Adopt-A-Cabin Program.

21 This was one of the first issues that was  
22 discussed with the Ridgecrest Steering Committee when  
23 it was formed in the late '80s. The problem that we  
24 had before the Adopt-A-Cabin Program was that we had  
25 essentially most of the local community up in arms

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1 because the BLM was burning these cabins.

2       These cabins are part of our history and  
3 our local culture and were very important. We knew  
4 the folks who lived there, who built those. We  
5 maintained those cabins ourselves. We kept them  
6 stocked with supplies.

7       And when they started getting burned, there  
8 was a loud out cry. And this was the alternative to  
9 that. And I would like to say that while they may  
10 not be preserved in the exact appropriate style or  
11 manner, at least they are still there. They are  
12 better than a pile of rubble, although they might not  
13 be politically correct.

14       And they do provide a recreational benefit.  
15 I am totally amazed at the diversity of the people  
16 who are involved and are working together, people who  
17 I didn't think would ever talk to each other. And,  
18 really, what should I say, hard core one side to the  
19 other, are working together for this program.

20       And one way or the other, I think this  
21 really needs to be worked out. And if I can do  
22 anything to support it, I am certainly willing to  
23 help. Thank you.

24       MR. VILLALOBOS: I appreciate that, Ron.

25       And, again, the situation that you mention

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1 about burning the cabins -- once I sat down with an  
2 archaeologist both at the state and at the local  
3 level. And I said this was what we did in the past,  
4 they said, oh, well, wait a minute. We need to  
5 consult with the SHPO.

6       So even our policy had some kinks in it  
7 that we are now really looking at seriously, with the  
8 historic significance, the cultural significance. We  
9 don't want to -- we certainly don't want to burn down  
10 something that might be historic. And whether  
11 it's -- it's associated with mining or whether it's  
12 associated with ranching or whatever activity  
13 occurred that caused the structure to be put on the  
14 BLM lands, we are paying attention to that historic  
15 and cultural significance.

16       COUNCIL MEMBER KEMPER: Jon McQuiston.

17       COUNCIL MEMBER MC QUISTON: I am just going  
18 to follow up at the end of the day when we take our  
19 actions, how would you feel if this council were to  
20 make a referral to get -- at a future meeting, we  
21 would like -- you know, some sort of presentation,  
22 overview? And I would put it conditioned upon your  
23 recommendation.

24       But at the end of the day, if you think  
25 this has value, if you think this has merit, what can

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1 we do? And perhaps some sort of, you know,  
 2 stakeholder group, TRT, or whatever in order to help  
 3 facilitate, how do you take it to the next step, and  
 4 continue the model that you are doing. So with -- if  
 5 there is no objection, I will write up a motion  
 6 toward the end of the day, some sort of referral that  
 7 we are interested in this, and we would like to  
 8 perhaps learn a little bit more, and see if it's  
 9 something we need to take on.

10 As I said, that any time you can get some  
 11 of the -- the group of stakeholders to come together  
 12 for this, if for no other reason, if you can practice  
 13 getting along, it's worth doing. And maybe you can  
 14 build off of that into other areas.

15 MR. VILLALOBOS: That would be super.

16 COUNCIL MEMBER KEMPER: Jon, I put it down  
 17 as a possible action item.

18 COUNCIL MEMBER MC QUISTON: Thank you.

19 COUNCIL MEMBER KEMPER: If it's okay with  
 20 everybody, we will move forward.

21 Thank you, Hector.

22 MR. VILLALOBOS: Okay. Thank you.

23 COUNCIL MEMBER KEMPER: Linda Hansen,  
 24 District Manager's Report.

25 /// /// ///

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## 1 DISTRICT MANAGER'S REPORT

2 DISTRICT MANAGER HANSEN: Linda Hansen.

3 Thank you Mr. Chairman.

4 First of all, I'd like to say thank you to

5 the council members who braved the weather, both

6 yesterday and today, to be here with us. I

7 appreciate your commitment of time. And I will just

8 note for you that the other field managers who might

9 have been coming today to the meeting are not going

10 to be here today. So you have their written field

11 manager reports.

12 If there are questions, we will be glad to

13 take those. If it's something we can't answer for

14 you today, we will get you responses back later. But

15 none of the field managers from Palm Springs,

16 Needles, or Barstow will be joining us today.

17 Secondly, I would like to again thank

18 Hector and his staff for putting together the field

19 tour, whether it was the virtual tour or the real

20 tour -- thank you very much for putting that

21 together.

22 Hector and his staff are kind of on the

23 cutting edge, if you will. There are out there on

24 the edge, trying to determine the best way to deal

25 with these Adopt-a-Cabin procedures. And so I think

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1 once they have sort of forged the ground for us --  
2 hopefully, it will be a process and a product that we  
3 can share, not only across the Desert District, but  
4 with all of California and other states where they  
5 have those kinds of opportunities. So I appreciate  
6 the council's interest in that, as well.

7 The only other thing, I guess, that I  
8 really had to report is a fairly recent ruling by  
9 Judge Illston that impacted BLM in the Northern and  
10 Eastern Colorado Planning Area. She enjoined the  
11 continued use of OHVs in certain wash zone areas that  
12 were designated in the NECO Plan.

13 So we have issued an order, per her order,  
14 an injunction that did get posted on our web site on,  
15 I think, Tuesday, actually, the 4th. Tuesday. We  
16 received the order on Monday. So we posted it on  
17 Tuesday.

18 You can go to the web site. If you are  
19 interested in seeing all of the material, it's there.  
20 The order, the release from the BLM, my order closing  
21 the areas to OHV activity, limiting that activity.  
22 And I think that's probably about it for right now.

23 But those things are available to you. And  
24 that web site address is [www.ca.blm.gov](http://www.ca.blm.gov). It's the  
25 generic web site that most of our material is on.

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1 But you can find it there.

2 There is also, I guess -- you have a copy  
3 of at least a draft of the news release that went  
4 out. I think you have a copy in front of you of the  
5 order. And my order -- I believe are the three  
6 things Doran provided to you this morning. So you do  
7 have that.

8 If there are any other questions about  
9 that, I will be glad to answer what I can. We think  
10 this is going to be fairly short term. We are  
11 hopeful that it will be based on receiving a new  
12 biological opinion from the U.S. Fish and Wildlife  
13 Service.

14 They have anticipated that that opinion  
15 should be available to us by the end of February.  
16 And at that time, based on the new biological  
17 opinion, then of course we will have to reevaluate  
18 anything else that may be impacted by that in the  
19 Northern and Eastern Colorado Plan.

20 But right now, this injunction will be  
21 lifted at the time the biological opinion is  
22 received. So about six weeks.

23 We are doing our best to get the  
24 information out to the public that uses that area.  
25 Most of it is not real highly visited at this time of

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1 the year too much. We have some visitors that come  
2 to that area from outside of California to spend the  
3 winters there. They like to recreate out there.

4 It is important to note that the designated  
5 routes in those areas are still open. You can still  
6 access those areas. You just will not be able to  
7 take an OHV up the wash zones.

8 So any help that you can give us, making  
9 sure that the information gets out to your  
10 constituents and the public, we appreciate it.  
11 That's all.

12 COUNCIL MEMBER KEMPER: Thank you, Linda.

13 At this -- Ron.

14 COUNCIL MEMBER SCHILLER: A question, some  
15 clarification. You mentioned the routes would still  
16 be open. You just couldn't drive in a wash. I am  
17 curious: Many routes are in washes. How is that  
18 determined?

19 DISTRICT MANAGER HANSEN: In the Northern  
20 and Eastern Colorado Plan area -- and it is the only  
21 area where this actually occurred under the route  
22 designation process -- we had what we called wash  
23 open zones. They were not specifically designated  
24 each individual wash as a route.

25 But they were zones where there is a lot of



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1 washes, kind of a braided -- they go off -- if you  
2 are familiar with that kind of country, it's a little  
3 bit different than what you might find up here on the  
4 Mojave. It's Sonoran and Colorado desert, and just  
5 looks a little different.

6       So there were some zones where it appeared  
7 that, you know, the easiest way to designate it was  
8 to just say, this is a wash open zone.

9       What has now occurred with this ruling is  
10 that the "Wash Open Zone" designation is basically  
11 not a wash open zone any longer for OHV activity.  
12 However, all designated routes that were designated  
13 either limited or open in those areas remain open.  
14 That has not changed.

15       So if you go to the maps and the document,  
16 you will find there is probably two that are sort of  
17 helpful. And I think we have a copy of one in the  
18 back, which is Map 210 in the Northern and Eastern  
19 Colorado Proposed Plan that shows where those basic  
20 wash open zones would be located that are now closed  
21 to OHV activity.

22       But you can also go to the designated route  
23 maps in the plan. And that's also available off the  
24 web site. And you can see where those routes are  
25 that are designated open. And those are still

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1 available.

2 COUNCIL MEMBER SCHILLER: Thank you.

3 DISTRICT MANAGER HANSEN: Compare those  
4 two, and it will help you a little bit.

5 COUNCIL MEMBER SCHILLER: Thank you.

6 COUNCIL MEMBER KEMPER: Okay. At this  
7 time, I am going to call a ten-minute break rather  
8 than a 15-minute break. We are a little ahead of  
9 schedule. And we are going to try to stay that way  
10 because of the weather, and get everybody out a  
11 little early today.

12 The next item on the agenda is going to be  
13 Field Manager's Reports. All those reports have been  
14 done in writing, and they have been sent via e-mail  
15 to all the council members. If you don't have a copy  
16 of the Field Manager's Reports, I believe they are on  
17 the back table. Is that correct, Doran?

18 MR. SANCHEZ: There are some.

19 COUNCIL MEMBER KEMPER: Let's take a  
20 ten-minute break. Give the members an opportunity to  
21 review them.

22 (A recess was taken.)

23 COUNCIL MEMBER KEMPER: We are back on the  
24 record.

25 Before we move on, Linda has asked for a

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1 couple minutes to clarify some things.

2 DISTRICT MANAGER HANSEN: Linda Hansen.

3 During the break, Howard Brown asked me a  
4 question. And although I think he was trying to pull  
5 my chain a little bit, I think it bears some  
6 clarification, in terms of what we term an "OHV."

7 If you read the order, it specifically  
8 says, "enjoined OHV use from the wash zones." What I  
9 told Howard, and I believe the only way that the  
10 agency can effectively deal with this issue, is if we  
11 would ask the public, whatever you are driving, not  
12 to drive off designated routes up into the wash  
13 zones.

14 So if that helps clarify it for someone.  
15 You know, whether it's your Toyota Celica, as Howard  
16 suggested, or your, you know, four-Wheel drive Ford  
17 truck, whatever it might be, we would ask the public  
18 not to drive off designated routes up into the wash  
19 zones at this point in time.

20 COUNCIL MEMBER SCHILLER: Would that  
21 include bicycles?

22 DISTRICT MANAGER HANSEN: No.

23 COUNCIL MEMBER SCHILLER: Okay.

24 COUNCIL MEMBER BETTERLY: Man powered.

25 DISTRICT MANAGER HANSEN: Thank you.

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1 COUNCIL MEMBER KEMPER: Has everybody had  
2 an opportunity to review the field manager reports?  
3 And do you have any comments regarding any of the  
4 reports?

5 Bill Presch.

6 COUNCIL MEMBER PRESCH: Yes. I have a  
7 comment relative to the I-15 stop. I noted in the  
8 report that they talked about the interaction with  
9 the National Park Service. And I was wondering if  
10 that stop was going to be expanded to the south in  
11 order to be involved in the preserve?

12 Currently, I believe it's out of the  
13 preserve completely. I just wondered about that.

14 DISTRICT MANAGER HANSEN: If I might,  
15 Mr. Chairman -- Linda Hansen again -- I believe what  
16 they are talking about, Bill, is that we have been  
17 coordinating and working with the Park Service on the  
18 displays. So the information that would be provided  
19 at the rest stop would be multi-agency and, you know,  
20 interactive for all of us, not necessarily just for  
21 BLM.

22 COUNCIL MEMBER KEMPER: I would like to  
23 call the council's attention to the Needles Field  
24 Report, and in particular, the Horse Thief Springs  
25 Riparian Area Restoration and Public Safety, Item 5.

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1 It appears that, as by the report, we are going to be  
2 installing an unsafe electric power line.

3 That's not our intent. There is actually  
4 an electric line that goes to a pump there that's  
5 probably only eight or ten feet off the ground. It  
6 goes to a box, that's a breaker box, that's  
7 reachable.

8 We have continued problems with people  
9 cutting that line and shooting up the breaker box.  
10 We are going to try to move it to a less accessible  
11 place and move it higher.

12 As far as it being dangerous, there is no  
13 electricity running through that line until you hook  
14 a generator to it. But we will try to move that line  
15 to a location where it's not as obtrusive and doesn't  
16 have as much vandalism.

17 In regards to the cabin, we are the -- or I  
18 am the allottee or permit holder for that. The cabin  
19 has been historically -- the base -- not the base  
20 property, but the headquarters property for the  
21 ranch -- it hasn't been used for a number of years --  
22 has some inherent problems.

23 Even though we have never had a water  
24 quality test that came back bad, the septic tanks are  
25 uphill of the riparian spring. There are certainly

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1 some problems that need to be addressed.

2       However, we have been in favor for a long  
3 time of setting that cabin up, saving the cabin,  
4 adopting it ourselves, using it as some type of a  
5 historical interpretive cabin that can be used  
6 showing cattle grazing and the BLM's partnership  
7 with -- and we would hope that at some point, that  
8 the agency would consider that, though there is a lot  
9 of talk about burning it.

10       And I think that's all I have.

11       We are moving along pretty good today. I  
12 have -- this is the time for Public Comment For Items  
13 Not on the Agenda. I do have a comment request card  
14 from David Matthews.

15       Is this the appropriate time to give your  
16 comment?

17       MR. MATTHEWS: No. It would be later items  
18 on the agenda.

19       COUNCIL MEMBER KEMPER: Is there any Public  
20 Comment For Items That Are Not on the Agenda?

21       Please come forward.

22       PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

23       MR. STEWART: Good morning, council. John  
24 Stewart, California Association of Four-Wheel-Drive  
25 Clubs.

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1       A lot was mentioned this morning about the  
2   Adopt-A-Cabin Program. And I would just like to note  
3   that from Cal Four-Wheel's perspective, we heartily  
4   endorse the Adopt-A-Cabin Program.

5       And if the council so chooses to set up a  
6   TRT, I would like to be a member, to participate in  
7   representing the Cal four-wheel interests and the  
8   off-road community in working to preserve these  
9   cabins.

10       We believe that this is a very worthwhile  
11   effort. It is something we would like to see  
12   essentially taken out of the local control of the  
13   field office here and applied throughout the entire  
14   desert district, in fact, throughout the entire  
15   nation.

16       I am also with the United Four-Wheel Drive  
17   Association, and I come across interests like this in  
18   neighboring states. The Ridgecrest Field Office has  
19   a very valuable endeavor here with the Adopt-A-Cabin  
20   Program. It's something that would be very  
21   beneficial to preserving the culture and history of  
22   the nation in other states.

23       Nevada is a prime example right now of a  
24   place that could use and really benefit from a  
25   program like this.

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1           Once again, you know, we endorse this  
2 program. We would like to work with the BLM in  
3 moving this program forward and, you know, overcoming  
4 some of the legal hurdles that are there, the  
5 political and public relations issues that have yet  
6 to be really defined.

7           But we do have a lot of members that  
8 participate in the Ridgecrest Field Office  
9 Adopt-A-Cabin Program. And they are very interested  
10 in the other areas of the state, as well. Thank you.

11          COUNCIL MEMBER KEMPER: Thank you.  
12          Gerry Hillier.

13          MR. HILLIER: Thank you, Mr. Chairman.  
14 Gerry Hillier speaking on behalf of San Bernardino  
15 county.

16          Yesterday, during the virtual field trip,  
17 there was quite a presentation and representation  
18 regarding sheep grazing in the El Paso Mountains.  
19 And I would like to speak to that for just a couple  
20 of minutes.

21          One of the things that has happened in the  
22 El Pasos historically has been that after the  
23 biological opinion by Fish and Wildlife Service that  
24 held sheep grazing in jeopardy that dated from about  
25 1990, all of the sheep grazing was removed from



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1 Category 1 and 2 habitat and has not returned.

2 In various discussions that I have had with

3 BLM, it seems to be apparent that BLM has done -- has

4 not done monitoring in those areas where sheep have

5 been removed, so that we have any kind of a measure

6 of efficacy of what's that -- what's happened there

7 over the last ensuing 14 years.

8 Statements were made yesterday that made it

9 sound as though sheep grazing was -- that has

10 occurred in the El Pasos has been deleterious to the

11 paleontological and cultural resources.

12 I would only like to raise the issue that

13 in fact because of the removal from the Category 1

14 and 2 habitats, there has been a concentration of

15 sheep grazing in areas like the El Pasos, which were

16 Category 3 habitats, one of the last remaining areas

17 to remain open.

18 What I would like to do is for the record

19 indicate that BLM -- we certainly would appreciate

20 BLM to go back and do some kind of efficacy

21 monitoring. BLM just went through an exercise like

22 this last fall, that the council may not be aware of,

23 of renewing all those sheep grazing permits because

24 they had new appropriations language.

25 So the allotment still exists in the closed

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1 areas. The West Mojave Plan is going to come out  
2 here, what, one week, two weeks, three weeks, I  
3 really don't know. But, evidently, it's going to  
4 have a decision that will permanently affect those  
5 allotments.

6       What I would like to do is urge the BLM  
7 before they issue those final decisions to at least  
8 give the council and other interested parties some  
9 sense as to whether -- what the effect of that  
10 removal has been before they totally abolish those  
11 allotments, and perhaps look at management  
12 alternatives which could reduce the pressures of the  
13 concentrated use in the El Pasos and maybe  
14 periodically provide for occasional spreading of that  
15 use and proper management of that use back into the  
16 areas that are -- may not be an adverse effect from  
17 sheep grazing.

18       COUNCIL MEMBER KEMPER: Thank you, Gerry.

19       Before I go on, I want to remind everybody,  
20 we have an athletic sport going on next door. It  
21 will -- it will be helpful if you talk close to the  
22 mic and project, so the court reporter doesn't have  
23 to strain to get you accurately on record.

24       Here again, we are moving along pretty  
25 good. Are we prepared for the Planning Update,

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1 Linda, at this time, or are you waiting for people to  
2 show up?

3 DISTRICT MANAGER HANSEN: No. We can do  
4 it.

5 PLANNING UPDATE

6 DISTRICT MANAGER HANSEN: Linda Hansen,  
7 District Manager, California Desert District.

8 The Planning Update for today is just sort  
9 of a run-through of status of where each of the  
10 planning efforts are at this point in time. I did  
11 not anticipate giving a lot of in-depth review of  
12 that, but just a quick update.

13 Starting with the Imperial Sand Dunes  
14 Recreation Area Management Plan, we are still in a  
15 position of waiting for a biological opinion to be  
16 issued from the Fish and Wildlife Service regarding  
17 the impacts to the Peirson milk-vetch within the  
18 dunes complex. We again have been waiting for that  
19 for some time. So that status is not much different  
20 than it has been for the last eight or ten months.

21 On the Western Mojave Planning effort, the  
22 final EIS has been trying to get printed since last  
23 October. They are having some issues with the  
24 printer, getting the maps and getting the document  
25 correct.

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1           And we don't want to release it for print  
2 until we know that it is going to be correct. So we  
3 continue to work with the printer to get that done.

4           Our last scheduled release of that was to  
5 be in January, about the middle of this month. That  
6 notice has been pulled back. We still hope to be  
7 able to get the document printed and out to the  
8 public in January. It will probably be more like the  
9 end of January instead of the middle of January. But  
10 just to let you know, that is still going to be  
11 coming your way soon.

12          On the Surprise Canyon Plan, as many of  
13 you -- well, some of you are part of a planning group  
14 that had worked with BLM early on, on development of  
15 the document for Surprise Canyon. And, of course,  
16 the advisory council has made a couple of trips out  
17 there to look at the canyon and to discuss the issues  
18 and has several times made some recommendations in  
19 terms of alternatives to be considered and other  
20 things.

21          That document is still being put together  
22 as a draft. We still continue to work with the Park  
23 Service on including the information that needs to go  
24 into the draft for the analysis of the plan.

25          I don't really have a date at this point in

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1 time at which we would be releasing an administrative  
2 draft, although we would hope to also have that  
3 available before the end of January. So that  
4 continues to move forward, but very slowly.

5 Last time we met, you had a briefing on the  
6 Eastern San Diego planning effort. That is sort of  
7 moving along, also. The scoping comments have been  
8 completed. We have written a basic definition of the  
9 plan and what it will cover. That has been given to  
10 Fish and Wildlife Service to begin the consultation  
11 process with them.

12 We are also beginning the consultation  
13 process with native American tribes on the initiation  
14 of the plan. So that is ongoing.

15 Other plans that you might want to know  
16 about or questions that I can answer that I didn't  
17 cover?

18 COUNCIL MEMBER KEMPER: Any questions or  
19 comments for Linda?

20 COUNCIL MEMBER PRESCH: I have a question.

21 COUNCIL MEMBER KEMPER: Bill Presch.

22 COUNCIL MEMBER PRESCH: I have a question  
23 on the Dumont Dunes. Actually, it's a two-part  
24 question: Desert Studies Center leases from the  
25 Avawatz Salt and Soda Company two sections of land

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1 off of the Harry Wade Road in the Avawatz Mountains.

2 And we note that the Harry Wade Road now  
3 has been denied to green sticker vehicles, that it is  
4 only for street legal vehicles. And what this has  
5 done is cut down the number of people from Dumont  
6 Dunes area, both the major dunes and little dunes, to  
7 come down the Harry Wade and then come up the road to  
8 our cabin at Sheep Creek Springs.

9 And we have -- since it's a California  
10 State University facility kind of that we allow open  
11 to the public -- we have always tried to have some  
12 kind of an educational thing going on. And we have  
13 noticed a great reduction.

14 And I was curious as to why the Harry Wade  
15 Road has now been designated as street legal only?

16 DISTRICT MANAGER HANSEN: Was that part of  
17 the designation under the West Mojave planning  
18 effort? Is that where it came from?

19 COUNCIL MEMBER PRESCH: I don't know.

20 A VOICE: NEMO.

21 DISTRICT MANAGER HANSEN: NEMO. Okay. I  
22 guess I would have to defer to the Barstow Field  
23 Office. And we can ask them what their, I guess,  
24 rationale for that was.

25 Bill, have you talked to the Barstow Field

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1 Office at all about it?

2 COUNCIL MEMBER PRESCH: No, I have not.

3 DISTRICT MANAGER HANSEN: I would suggest

4 that you give them a call and either talk to Edythe

5 Seehafer, who was the project lead on the NEMO plan,

6 or to Roxie Trost, the field manager, and ask that

7 question.

8 COUNCIL MEMBER KEMPER: Bill, I would also

9 suggest that maybe you bring it back to the council.

10 And maybe that's some -- something that needs to be

11 adjusted.

12 The whole idea is to educate the public.

13 And then if we cut them off from the points that they

14 can be educated, you know, we are probably defeating

15 ourselves and our goal.

16 Ron.

17 COUNCIL MEMBER SCHILLER: Yes. You

18 probably have to ask Hector, but I am curious about

19 the current status of the Furnace Creek Road issue.

20 Where is that plan in the process?

21 COUNCIL MEMBER KEMPER: Linda, is that

22 something you can answer, or do you need Hector?

23 DISTRICT MANAGER HANSEN: No. We will let

24 Hector respond to that.

25 COUNCIL MEMBER KEMPER: Hector.

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1 MR. VILLALOBOS: Ron, we are working on the  
2 Furnace Creek EA right now with the Forest Service.  
3 We have just about finished our review and input to  
4 the Forest Service.

5 We -- I know I am going to be speaking to  
6 the Forest Service next week, providing them with our  
7 feedback. And I know the Forest Service and the BLM  
8 are very anxious to get the EA done and out soon. So  
9 I think it's going to be a matter of months to get a  
10 final -- or an EA out for review, for public review.

11 COUNCIL MEMBER SCHILLER: Thank you.

12 MR. VILLALOBOS: We are making progress.

13 COUNCIL MEMBER SCHILLER: The last I had  
14 heard, they were having to, I guess, reconsider some  
15 alternatives based on public comment. But they had  
16 no idea when -- or at least what I heard from the  
17 Forest Service, they had no idea when we could expect  
18 a draft out.

19 MR. VILLALOBOS: We have done more  
20 evaluation on some of the alternatives. And we have  
21 provided feedback on that, and expect to see that  
22 addressed, and pretty soon. If we can pull  
23 everything -- the holidays kind of put a little bit  
24 of a -- it slowed it down.

25 COUNCIL MEMBER SCHILLER: Right.



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1 MR. VILLALOBOS: But we are back on track.

2 And hopefully our input and their input will be -- is  
3 in the process of being put together.

4 COUNCIL MEMBER KEMPER: Does that answer  
5 your question?

6 COUNCIL MEMBER SCHILLER: Yes.

7 COUNCIL MEMBER KEMPER: Thank you.

8 COUNCIL MEMBER PRESCH: Point of  
9 clarification. Which Furnace Creek are you talking  
10 about?

11 MR. VILLALOBOS: The Furnace Creek in the  
12 White Mountains in Mono County.

13 COUNCIL MEMBER KEMPER: Carol Wiley.

14 COUNCIL MEMBER WILEY: I was -- just very  
15 briefly: What is the issue with the Furnace Creek?

16 MR. VILLALOBOS: Access. Furnace Creek is  
17 a riparian area where there has been traditional  
18 access through a two-track road into the Forest  
19 Service land.

20 So it starts -- actually, it even starts in  
21 Nevada, crosses over through BLM land, and then gets  
22 into a little narrow canyon with riparian. It was  
23 subject to a lawsuit that -- it was filed by the CBD,  
24 Sierra Club, and others, resulting in closure of part  
25 of that canyon.

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- 1       We are trying to direct access now through  
2 the EA with the Forest Service.
- 3       COUNCIL MEMBER WILEY: Thank you.
- 4       COUNCIL MEMBER KEMPER: Anyone else?  
5       Thank you, Hector.
- 6       MR. VILLALOBOS: Thank you.
- 7       COUNCIL MEMBER KEMPER: Okay. We will open  
8 up the meeting for a round table meeting and summary  
9 of agenda topics and things that need to be  
10 accomplished, as well as our next location.
- 11      COUNCIL ROUNDTABLE & MEETING SUMMARY
- 12      COUNCIL MEMBER KEMPER: I will start on  
13 the right-hand side of the room.
- 14      COUNCIL MEMBER BETTERLY: I have nothing at  
15 this time.
- 16      COUNCIL MEMBER KEMPER: Sheri Davis.
- 17      COUNCIL MEMBER DAVIS: Nothing at this  
18 time.
- 19      COUNCIL MEMBER KEMPER: Jon McQuiston.
- 20      COUNCIL MEMBER MC QUISTON: No comment.
- 21      COUNCIL MEMBER KEMPER: Howard.
- 22      COUNCIL MEMBER BROWN: Nothing from me.
- 23      COUNCIL MEMBER KEMPER: Bill.
- 24      COUNCIL MEMBER PRESCH: Nothing from me.
- 25      COUNCIL MEMBER KEMPER: Dave.

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1 COUNCIL MEMBER CHARLTON: No.

2 COUNCIL MEMBER KEMPER: Paul.

3 COUNCIL MEMBER SMITH: I believe that

4 you -- it would be useful for there to be a broader

5 scale discussion on ORV activities and the various

6 different efforts to deal with them, and comparing

7 some of the different approaches by the counties.

8 Because the county regulations impact them:

9 Los Angeles, Kern, San Bernardino, Riverside, and

10 Imperial. And that it would be useful to cause a

11 cross fertilization of ideas somehow or other. I

12 don't know that it necessarily has to happen here.

13 Except this is certainly a focus point, and the

14 viewpoints that come from the ORV community would be

15 perhaps useful.

16 COUNCIL MEMBER KEMPER: Jon McQuiston.

17 COUNCIL MEMBER MC QUISTON: Thank you,

18 Mr. Chairman.

19 I have looked at the agenda. You are

20 breezing through here rather quickly. And I would

21 just like to submit to you a motion based on our

22 previous discussions. And whether you want to do

23 that at the end or want me to read it now, I defer to

24 you, sir.

25 COUNCIL MEMBER KEMPER: Please do it now.

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1 COUNCIL MEMBER MC QUISTON: That I would  
2 submit a motion to request the Ridgecrest Field  
3 Office to present an Adopt-A-Cabin brief at the next  
4 meeting of the Desert Advisory Committee.

5 The focus should be placed on history,  
6 public involvement, lessons learned, future of the  
7 program, program expansion, and any recommendations  
8 appropriate for the Desert Advisory Council to  
9 review, and recommendations.

10 COUNCIL MEMBER BETTERLY: I would second  
11 that motion.

12 COUNCIL MEMBER KEMPER: I have a motion and  
13 a second. Any discussion?

14 All in favor, signify by saying "aye."

15 (Chorus of ayes.)

16 COUNCIL MEMBER KEMPER: Any opposed?

17 (No response.)

18 COUNCIL MEMBER KEMPER: Hearing none, the  
19 motion carries unanimously.

20 I guess I should say: Was there any  
21 abstentions?

22 (No response.)

23 Motion carries unanimously.

24 Carol, I believe you are next. Do you have  
25 anything?

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1 COUNCIL MEMBER WILEY: No.

2 COUNCIL MEMBER KEMPER: Jim.

3 COUNCIL MEMBER BUGERA: Nothing new.

4 COUNCIL MEMBER KEMPER: Ron.

5 COUNCIL MEMBER SCHILLER: I am not sure

6 what the question was.

7 COUNCIL MEMBER KEMPER: If you look on your

8 agenda, we have moved right along.

9 COUNCIL MEMBER SCHILLER: Right. Any --

10 COUNCIL MEMBER KEMPER: This is our

11 opportunity to discuss agenda items for future

12 meetings and also other locations where we would like

13 to have meetings?

14 COUNCIL MEMBER SCHILLER: Well, I would

15 say, by the next meeting, WEMO should be out. I

16 would think that should certainly be on the agenda.

17 And possibly Surprise Canyon, if that's going to be

18 out, at the end of the -- at the end of January,

19 would be two that I think should probably be

20 included.

21 COUNCIL MEMBER KEMPER: If you are going to

22 talk about WEMO and Surprise Canyon as the main items

23 or topics, I would expect that the TRT would be --

24 for Surprise would be in a position to give us a

25 report, and that possibly our next meeting should be

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1 in the Barstow area or, you know, at least in the  
2 area of WEMO.

3 COUNCIL MEMBER SCHILLER: That's true.

4 COUNCIL MEMBER KEMPER: Any other thoughts,  
5 Linda?

6 DISTRICT MANAGER HANSEN: No. Certainly,  
7 we can deal with these agenda items on your next  
8 meeting. And Barstow is a fine location, I mean, for  
9 talking about West Mojave and/or Surprise Canyon.

10 We will be providing to the TRT the  
11 administrative draft of the document for Surprise.  
12 So they will have an opportunity to look at it. And  
13 that would probably be very appropriate, that they  
14 would give the council then a report on their  
15 activity.

16 COUNCIL MEMBER KEMPER: If I could ask: We  
17 have had some changes in seats. Who is chairing the  
18 TRT for Surprise Canyon at this time?

19 COUNCIL MEMBER SCHILLER: I don't know.

20 COUNCIL MEMBER KEMPER: Paul Smith is now.

21 DISTRICT MANAGER HANSEN: I believe Paul  
22 was asked to do that for the DAC.

23 MS. OVIATT: That's correct.

24 COUNCIL MEMBER KEMPER: He was. Okay.  
25 Paul, you are the chair. And you need to get

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1 organized for the next meeting with your TRT.

2 COUNCIL MEMBER SMITH: You are on.

3 COUNCIL MEMBER KEMPER: Okay. Does  
4 everybody know who is on the TRT?

5 COUNCIL MEMBER SCHILLER: I believe I was  
6 appointed, although it has never met since --

7 COUNCIL MEMBER KEMPER: You are on the TRT?

8 COUNCIL MEMBER SCHILLER: That's my  
9 understanding, although it's never met since I have  
10 been in --

11 COUNCIL MEMBER KEMPER: Can I charge you  
12 with making sure they meet?

13 COUNCIL MEMBER SCHILLER: Who is -- who  
14 else is on the --

15 COUNCIL MEMBER KEMPER: Paul Smith.

16 COUNCIL MEMBER SCHILLER: Paul Smith and --

17 COUNCIL MEMBER KEMPER: I believe there was  
18 somebody from the environmental community.

19 Originally, I believe it was Bob.

20 COUNCIL MEMBER SCHILLER: Bob Ellis.

21 Right. That's what I thought.

22 COUNCIL MEMBER KEMPER: So, Carol, would  
23 you like to be on the TRT? Is that something that  
24 you can do?

25 COUNCIL MEMBER WILEY: Okay.

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1 COUNCIL MEMBER KEMPER: And maybe Bob Ellis  
2 can update you on the work that he has done. Is that  
3 fair?

4 COUNCIL MEMBER WILEY: Sure.

5 COUNCIL MEMBER KEMPER: Yes, Lorelei.

6 MS. OVIATT: Lorelei Oviatt, Kern County  
7 Planning.

8 The DAC had also, through Supervisor  
9 McQuiston, tasked me to work with that TRT. And I  
10 was working with that TRT. So --

11 COUNCIL MEMBER KEMPER: And are you willing  
12 to continue?

13 MS. OVIATT: Yes, I am.

14 COUNCIL MEMBER KEMPER: Very good. Paul,  
15 be sure and include her.

16 Maybe Paul or Lorelei can answer the  
17 question. You actually had a team of people that  
18 were working as outside resources, I believe, from  
19 Fish and Wildlife, from BLM. These are the members  
20 of the DAC TRT, as far as members. But I think you  
21 had also included some outside resources, is that  
22 correct?

23 MS. OVIATT: That is correct. The process  
24 is that we had folded our participation into the  
25 Bureau of Land Management's team that was working on



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1 the project. So in reality, the last product, work  
2 product, that we were expecting was the  
3 administrative draft.

4 So the TRT since their last report has had  
5 nothing to report, because there has been no work  
6 product to look at from the -- I call it the Surprise  
7 Canyon team that's working between the Park Service  
8 and the Bureau of Land Management.

9 COUNCIL MEMBER KEMPER: Maybe I can ask  
10 Linda then. Are they going to have information, new  
11 information, available to them to meet on and give  
12 this council a recommendation for the next meeting?  
13 Yes or no?

14 DISTRICT MANAGER HANSEN: I hate to  
15 promise. We are putting together the administrative  
16 draft. We have run into a great deal of -- we have  
17 had a hard time getting all of the information in  
18 from Park Service employees who were assigned to work  
19 on the draft as well as making sure that our own  
20 internal, you know, process of putting together the  
21 analysis for the draft is complete.

22 We are hoping that that will be complete  
23 here in the next couple of weeks. I haven't had a  
24 promise from the Park Service that that will happen.  
25 But we continue to work with them to make that happen

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1 as quickly as possible.

2 Prior to release of any kind of an  
3 administrative draft document to anybody outside, the  
4 planning team will be brought back together. And as  
5 a part of that, DAC's TRT, as Lorelei explained, has  
6 been -- was functioning as a part of that planning  
7 team.

8 They will have the document to look at, if  
9 that is available to them. And if they have an  
10 opportunity to look at it and are ready to report on  
11 it at your next meeting, then -- and I would hope  
12 they would be. We are not meeting again until April?

13 MR. SANCHEZ: April 1st and 2nd.

14 DISTRICT MANAGER HANSEN: Yes. There  
15 certainly should be an opportunity between now and  
16 then for the TRT to get back together, take a look at  
17 the administrative draft, and provide any  
18 recommendations that they would like to see or a  
19 report back to the DAC in April.

20 COUNCIL MEMBER KEMPER: Paul Smith.

21 COUNCIL MEMBER SMITH: In refreshing my  
22 role as chair of this TRT, I am reminded -- and I am  
23 looking to see if there is a status report. Inyo  
24 County, for example, was going to do a historical  
25 review of the use of Surprise Canyon as a road. Do

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1 you know if that's been done or --

2 DISTRICT MANAGER HANSEN: I am not aware  
3 they have provided us that level of detail in a  
4 report. They did have someone, as you know, who met  
5 with us a couple of times and talked about what was  
6 in the records.

7 We do have information about former use.  
8 But they did not provide us a report, per se, on the  
9 historic use.

10 COUNCIL MEMBER SMITH: Was it Linda Green  
11 at the National Park Service that was working on  
12 this?

13 DISTRICT MANAGER HANSEN: Linda Green is  
14 the staff supervisor who was tasked by the  
15 superintendent of the park to oversee the completion  
16 of the analysis for the park portions, yes.

17 COUNCIL MEMBER SMITH: And then there were  
18 also water issues. One of the agencies was the  
19 Lahontan Water District. And I know there were some  
20 legal issues regarding riparian use by motor  
21 vehicles.

22 DISTRICT MANAGER HANSEN: Yes.

23 COUNCIL MEMBER SMITH: Is that going to be  
24 looked at or addressed?

25 DISTRICT MANAGER HANSEN: Yes. That is --

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1 COUNCIL MEMBER SMITH: Hopefully, we will  
2 be able to do a report. If not, that will be the  
3 report, we are not ready yet. We will find out.

4 COUNCIL MEMBER PRESCH: Can I make a  
5 suggestion? If we do have a report for the meeting  
6 in April, that we invite Linda Green of the NPS to be  
7 here, to be at the meeting. So since this is a  
8 cooperative venture between BLM and Park Service, it  
9 might be -- at least offer the opportunity for the  
10 Park Service to make their presentation?

11 COUNCIL MEMBER KEMPER: Great idea.

12 Lorelei, could I prevail upon you to kind  
13 of bird dog the historical information through -- in  
14 other words --

15 MS. OVIATT: Yes. I would be glad to  
16 follow up with Inyo County and find out who -- the  
17 person who was working on it before is no longer  
18 employed by them. I will talk to the planning  
19 director and find out who is working on it.

20 COUNCIL MEMBER KEMPER: Okay. Thank you.

21 Okay. Ron.

22 COUNCIL MEMBER SCHILLER: Well, one other  
23 item that I wanted to kind of touch on was something  
24 that Paul brought up. And that was regarding OHV.  
25 He used the term "OHV" and "ORV," I believe, twice in

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1 his comment.

2 COUNCIL MEMBER KEMPER: He did. And I did  
3 not want to embarrass him. I was going to allow him  
4 to correct it in the minutes.

5 COUNCIL MEMBER SCHILLER: Well, this brings  
6 up an issue that is very frustrating for me. Because  
7 oftentimes, when we discuss, quote, "OHV issues," the  
8 mental image of many people are motorcycles flying  
9 through the air and clouds of dust and people buzzing  
10 across the desert.

11 According to the new standards, the OHV  
12 strategy published by the BLM, anyone who leaves the  
13 pavement now is an OHV participant.

14 COUNCIL MEMBER KEMPER: Ron, I am going to  
15 stop you here.

16 COUNCIL MEMBER SCHILLER: Okay.

17 COUNCIL MEMBER KEMPER: Just for  
18 expediency, I am going to remind you that what Paul's  
19 comment -- and he prefaced it by saying "illegal,"  
20 illegal off-road use.

21 COUNCIL MEMBER SCHILLER: Okay. But, you  
22 know, regardless of that, the issue that I have is  
23 that there is no real definition as far as the public  
24 goes of what is an OHV, although that term is mostly  
25 used when we talk about off-road activities.

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1           And I just -- like you say, that anyone who  
2 participates in any activity off of the highway is an  
3 OHV enthusiast. And many diverse groups, even though  
4 they don't recognize it, are actually OHV  
5 enthusiasts, even to the point of non-motorized  
6 activities.

7           If you leave the pavement to get to a  
8 trailhead, you are now an OHV enthusiast, whether you  
9 know it or not. Many of the equestrian groups depend  
10 upon access for poker rides, for other activities,  
11 for support for trail rides.

12          And I just kind of wanted to mention that  
13 it's really frustrating for me when the newspapers or  
14 the media focus on OHVs, when we are really talking  
15 about everybody. And I don't know how to overcome  
16 that. But it's just a point of frustration for me,  
17 and I would just like to clarify that.

18          COUNCIL MEMBER KEMPER: Well, you know,  
19 probably one of the best guys to put working on that  
20 is Paul. Because Paul is really involved in the  
21 business community and tourism.

22          And I think it's important that we all  
23 understand -- you know, even if you are a tourist and  
24 you are going through the monument or you are going  
25 through the park, and you are accessing some of these

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1 areas by dirt roads in a passenger car, you are in  
2 the group that is being identified as an off-road  
3 enthusiast.

4 COUNCIL MEMBER SCHILLER: That is true. If  
5 you are out with the Garden Club in the spring  
6 looking at the wildflowers, out with the museum  
7 looking at petroglyphs, out with the local historical  
8 society at an old historical mine site or cabin --  
9 you know, people have to understand that they are now  
10 OHV enthusiasts if they participate in any of those  
11 activities: Hunting, fishing, gem and mineral  
12 collecting, as well.

13 COUNCIL MEMBER KEMPER: Well, maybe that's  
14 something that can be included in our tourism  
15 brochures and that sort of thing. That's just an  
16 educational item.

17 COUNCIL MEMBER BETTERLY: Even hunting  
18 would be --

19 COUNCIL MEMBER SCHILLER: I said hunting  
20 and fishing.

21 COUNCIL MEMBER BETTERLY: Oh, I didn't hear  
22 you.

23 COUNCIL MEMBER KEMPER: Paul.

24 COUNCIL MEMBER SCHILLER: Thank you.

25 COUNCIL MEMBER SMITH: I think you are

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1 going to remain frustrated, Ron. The last meeting  
2 that I attended of the off-road vehicle watch group  
3 in the Morongo Basin, they devoted about two hours to  
4 that issue, putting most of us asleep kind of in the  
5 back.

6 COUNCIL MEMBER SCHILLER: I understand.  
7 But it's still frustrating.

8 COUNCIL MEMBER KEMPER: Okay. I do have a  
9 couple of items. And I am going to refer back a  
10 little bit to Jon McQuiston.

11 Jon, none of your previous motions  
12 contained developing a TRT for the cabin program,  
13 though I think Hector did tell us earlier that that  
14 would be helpful.

15 COUNCIL MEMBER MC QUISTON: I deliberately  
16 left that out, because I -- in the referral was an  
17 opportunity for Hector and the Ridgecrest folks --  
18 you know, I would prefer not to dictate the solution,  
19 but rather let them come up with what they see as the  
20 recommendations that our DAC may want to consider.

21 And rather than tell him, this is the  
22 outcome of whatever your brief should be -- at the  
23 end of the brief, if that's not a part of the  
24 recommendations, it certainly would be appropriate  
25 for us to discuss it. But I just wasn't comfortable



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1 telling him, you know, what the recommended or what  
2 their recommendation should be.

3 I felt like it should be as open and -- to  
4 whatever they wanted to feed us in terms of history,  
5 involvement, pros, cons, where we go, and if the DAC  
6 perhaps should become involved, and how that  
7 involvement might be formed.

8 COUNCIL MEMBER KEMPER: Jon, what I can  
9 share with you is that yesterday, probably the  
10 longest part of our discussion on our field trip was  
11 in regards to these cabins and how to bridge the gap  
12 between, you know, the agency and the public. And we  
13 actually had a real good brainstorming session. And  
14 I think a TRT is probably appropriate for, one, to  
15 get over the first hurdle.

16 COUNCIL MEMBER MC QUISTON: Mr. Chairman,  
17 if you are asking me if I would agree with a friendly  
18 amendment, the answer is yes. I just wasn't  
19 comfortable absent being there yesterday in going  
20 that far.

21 COUNCIL MEMBER KEMPER: Okay. I will go  
22 ahead and make a motion to -- for the chair to  
23 appoint a TRT for the Adopt-A-Cabin Program.

24 Do I have a second?

25 COUNCIL MEMBER BETTERLY: I will second

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1 that motion.

2 COUNCIL MEMBER KEMPER: I have a motion to  
3 second.

4 Any discussion?

5 Paul Smith.

6 COUNCIL MEMBER SMITH: I think ultimately,  
7 this would be great. I think it's a little  
8 premature. But I am sorry that I missed the session  
9 yesterday.

10 So taking that into account, then, you  
11 should listen to yourselves better than me, who  
12 wasn't there. I know that there in the Gold Park BLM  
13 area in the Morongo Basin, there are at least three  
14 cabins there. To the extent that they have  
15 historical interest, I am not sure.

16 I think -- two of them have been used, I  
17 think, as mining, to site miners. One was used as a  
18 former BLM headquarters office, back up there.

19 To have people pay attention to them and  
20 use them would be a definite plus for that area. We  
21 know if we forecast what's going to happen to OHV  
22 activity in that area, we can foresee that that --  
23 that it will be cut back in areas that are close to  
24 residential areas, where there is residential  
25 interface and urban interface.

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1 But they will expand in areas like Gold  
2 Park, so that people can continue to enjoy and  
3 probably find out that there is much better places to  
4 bring those vehicles.

5 The Palm Springs office informally has got  
6 two employees who have adopted the old ranger station  
7 up in Gold Park. I don't know whether that's  
8 sanctioned or not. The last time I was up there a  
9 couple weeks ago, it looked like some door  
10 restoration work was going on.

11 I think that it would be more appropriate  
12 to hear the presentation that Hector will make or his  
13 staff will make and to ask Linda and Hector to let  
14 the other offices know that this sort of study is  
15 going on. And we probably will be appointing the TRT  
16 in the future, so we can find out how many of these  
17 old places exist in other areas of the desert.

18 Is this something that should be looked at  
19 as a desert-wide basis? And should it be more  
20 formalized and structured, so that people understand  
21 the rules better? Even those who couldn't attend  
22 yesterday's wonderful session?

23 COUNCIL MEMBER KEMPER: Paul, one thing  
24 that I would like to make really clear, what we are  
25 doing is establishing a TRT to look at the program.

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1 We are not endorsing the program.

2       You know, so what we are asking is that we  
3 have some people -- part of the motion was not to  
4 endorse the program but simply participate, take a  
5 look at it, and make a recommendation. So, you know,  
6 here again, by setting up the TRT, we are not  
7 necessarily today endorsing any Adopt-A-Cabin  
8 Program. We are looking for them to come back and  
9 give us a recommendation.

10       Yes, Bill.

11       COUNCIL MEMBER PRESCH: Yes, Paul. I  
12 appreciate your presentation. And I -- I agree with  
13 you. I was at the meeting yesterday.

14       And I would suggest that appointing a TRT  
15 today will necessitate the TRT trying to locate the  
16 information, the data, if you will -- being a  
17 scientist, I like data -- that we are going to hear  
18 about at the next meeting from Hector and his people.

19       And I really see this as a duplication of  
20 effort. I don't see that the TRT will have enough  
21 information to make a recommendation until after  
22 Hector's presentation. And so I would agree with  
23 Paul, that we wait for the presentation, and we see  
24 what the problem is or what the solution is or what  
25 the recommendations are.

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1           And with input from other managers that  
2   will be present hopefully at Barstow -- it won't snow  
3   there -- or wherever we meet, that we might be able  
4   to structure the TRT in a way that will be more  
5   beneficial than doing it now.

6           And so I would -- I will not support the  
7   motion.

8           COUNCIL MEMBER MC QUISTON: Mr. Chairman?

9           COUNCIL MEMBER KEMPER: Jon.

10          COUNCIL MEMBER MC QUISTON: If I may, for  
11   the sake of discussion, you mentioned on the Surprise  
12   Canyon that it was actually in this draft report that  
13   was going to come out, working group within BLM, and  
14   the TRT members kind of augmented that.

15          And I don't know if that would -- if that  
16   would lend itself to this issue of -- or not. I  
17   mean, there is some studies going on right now  
18   internal to the Ridgecrest Field Office on: Where do  
19   we go from here?

20          If there is -- if there is a need for a TRT  
21   at this point in time, I would see it in that  
22   context, that it -- that, you know, to participate in  
23   that, and perhaps come at the briefing. First of  
24   all, you have got to get the input from the  
25   Ridgecrest Field Office on what they see as the

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1 strengths, the weaknesses, lessons learned, where we  
2 need to go. To have a TRT established right now  
3 that's separate and independent of that, I think  
4 would be a duplication.

5 If the Surprise Canyon model works, where  
6 you could actually take some folks, similar to what  
7 you are doing there -- and when the Ridgecrest  
8 office's proposal comes up, you have already got some  
9 participation -- it might work.

10 I think I would like to defer a question to  
11 Hector: You know, in terms of everything you have  
12 heard, what would be the -- your recommendation on  
13 the discussion we are having right now, whether you  
14 have a separate TRT or perhaps something modeled  
15 after what you are doing with the Surprise Canyon,  
16 where essentially you have got an integrated team  
17 between staff and perhaps some folks from here? Do  
18 you have any thoughts on that?

19 COUNCIL MEMBER KEMPER: Hector, just a  
20 second.

21 Jon, historically or traditionally, or at  
22 least the way we have always worked our TRT on  
23 grazing, is that we work hand in hand with staff  
24 to -- and give staff a little different perspective.  
25 And when they come with a final recommendation, they

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1 have already had some input from -- I'm sorry. Go  
2 ahead.

3 MR. VILLALOBOS: I am really, really happy  
4 to hear that there is this kind of interest in the  
5 Adopt-A-Cabin Program. I am really happy that we  
6 would -- that the Ridgecrest Field Office is being  
7 asked to provide the District Advisory Council a more  
8 detailed report on the lessons learned, strengths and  
9 weaknesses, what our goals are.

10 Originally, we had a situation where we  
11 really kind of started this many, many years ago.  
12 It's got a long history within the Ridgecrest office.  
13 Nobody else -- well, except for a few interested  
14 people outside the BLM at the state office level --  
15 and primarily because of concerns about how we are  
16 treating these structures and historic -- in their  
17 historic context. And at the national level, they  
18 are really interested on the recreational opportunity  
19 that these provide.

20 My recommendation would be that we be  
21 allowed to give you a thorough review of what we have  
22 been doing for 20 years with this program, and then  
23 go from there.

24 Because there are some undeveloped policies  
25 that we started to work on at our level which have

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1 not really been endorsed at higher levels yet within  
2 our own BLM. And I would like to be able to present  
3 with -- at least to the DAC some ideas of what these  
4 policies might be.

5 And then at that level, there might be a  
6 very -- the need for a TRT to help us pass on or  
7 refine these policies.

8 COUNCIL MEMBER KEMPER: Can you be prepared  
9 to do that in Barstow at the next meeting?

10 MR. VILLALOBOS: Yes.

11 COUNCIL MEMBER KEMPER: Given Hector's --

12 MR. VILLALOBOS: With Steve's help.

13 DISTRICT MANAGER HANSEN: Mr. Chairman?

14 COUNCIL MEMBER KEMPER: Linda Hansen.

15 DISTRICT MANAGER HANSEN: If I might add to  
16 Hector's comments here, I think that in order to help  
17 the advisory council determine the scope of the  
18 activity that they would like to be involved in on  
19 Adopt-a-Cabin types of, you know, initiatives, that  
20 we probably need to do also a little bit of work  
21 looking outside of Ridgecrest to other areas -- at  
22 least if not totally within CDCA, at least within,  
23 maybe within California.

24 This may be an issue that is bigger than  
25 just Ridgecrest, when we start talking about



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1 policies. And you may be ones who can help the BLM  
2 develop those policies very well to deal with the  
3 issue.

4 But I think that perhaps what would be  
5 better is that we provide you the information you  
6 have requested at the meeting in April and any other  
7 pertinent information about the potential scope of  
8 this program outside of Ridgecrest, and allow you to  
9 consider that when you consider a TRT.

10 COUNCIL MEMBER KEMPER: Okay. Given  
11 Hector's information and Linda's, I will remove my  
12 motion from the floor. If the second is in  
13 agreement?

14 COUNCIL MEMBER BETTERLY: I agree.

15 COUNCIL MEMBER MC QUISTON: Mr. Chairman,  
16 if I might suggest, it's been implied but not stated  
17 here today, that at that meeting, when your  
18 presentation is done, if the other -- if the other  
19 resource offices at least could present to us a  
20 preliminary inventory of what they think the  
21 opportunities may be within their districts, that  
22 would be very helpful information.

23 COUNCIL MEMBER KEMPER: Thank you, Jon.

24 MR. VILLALOBOS: Thank you.

25 COUNCIL MEMBER KEMPER: Anything else on

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1 the subject?

2 Paul.

3 COUNCIL MEMBER SMITH: Just one thing. I

4 can smell that there is a lot of archaeologic issues

5 here, and that there are training grounds, I believe,

6 through the Desert Manager's Group for training of

7 lay people to work on archaeology issues.

8 So I would just sort of encourage you to,

9 as part of your presentation, to address that and how

10 non-professionals get involved from an archaeology

11 standpoint.

12 MR. VILLALOBOS: Just a brief word on that.

13 In the Ridgecrest office and in the state of

14 California, there is a program called the Site

15 Stewardship Program that's primarily directed at

16 prehistoric type of archaeology.

17 One of the policies that we are trying to

18 look at or work on or to develop is the idea that

19 volunteers that are helping BLM with these historic

20 cabins and structures will be brought -- somehow

21 brought into the Site Stewardship type program where

22 lay people will learn about the archaeological

23 significance of these historic areas and protection

24 and monitoring of.

25 DISTRICT MANAGER HANSEN: It's a great

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1 opportunity.

2 COUNCIL MEMBER KEMPER: Okay. I do have  
3 one other item that I would like to ask Linda how  
4 acceptable she would be to the idea. And then I  
5 would like to challenge the TRT, if Linda is  
6 agreeable.

7 You know, here not too long ago we had a  
8 series of lawsuits and appeals between grazing  
9 interests and the agency. And one of the biggest  
10 issues had to do with proper consultation. The  
11 rangers didn't feel like they had been consulted with  
12 the agency.

13 Do you have any interest at all in coming  
14 up with a written policy for this district regarding  
15 the consultation process within your district?

16 DISTRICT MANAGER HANSEN: My only -- sure.  
17 Yes. However, my only caveat with that would be that  
18 we would have to make sure that we follow the  
19 national protocols for that as are outlined in the  
20 grazing rules that we follow. So if we can stay  
21 within those rules and come up with something that  
22 works better for our permittees within the California  
23 desert area, I am willing.

24 COUNCIL MEMBER KEMPER: Linda, I will share  
25 with you that I have gone to the national meetings of

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1 the RACs and the DACs. And it's something that they  
2 are asking for a national policy on.

3 But what they keep being told is that --  
4 they go back, and the district has kind of set up  
5 their own systems. There is an overview, but  
6 everybody is interpreting them differently. And I --  
7 I know that in the grazers case, you know, they spent  
8 you know, darn near \$400,000. I know the Justice  
9 Department and the agency were probably over a  
10 million dollars.

11 We have been talking about trying to keep  
12 our assets here to do something good on the ground,  
13 rather than arguing over trivial things. So I think  
14 if -- if this is something that we can put  
15 together -- have the grazing TRT addressed, have the  
16 ABC work towards, have an agreement on it, and  
17 then -- you know, we don't have to cross that bridge  
18 again and spend money foolishly.

19 DISTRICT MANAGER HANSEN: I agree. And I  
20 would ask that we focus that district wide. Because  
21 I would like to make sure that this is consistent  
22 across all Field Office jurisdictions.

23 COUNCIL MEMBER KEMPER: Very good.

24 Okay. What I would like to do is go ahead  
25 and have the grazing TRT go ahead and work with the

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1 agency. And we will have Linda appoint probably  
2 Roxie and one or two other people -- maybe Larry  
3 Morgan -- to work along with that. I believe Bill  
4 Betterly is on the grazing TRT, and Paul Smith.

5 We have a couple of people that have come  
6 off it. I think we should have somebody from the  
7 public -- from the elected officials.

8 Jon McQuiston, would you serve?

9 COUNCIL MEMBER MC QUISTON: Depending on  
10 the workload. If you can -- I would be happy to  
11 serve, depending on what time commitments you may  
12 believe. I will tell you this year is an intense  
13 year for me personally because of the -- my  
14 involvement in this next phase of base realignment  
15 and closures. Both Edwards Air Force Base, China  
16 Lake, are located within Kern County.

17 I will help in any way I can. I am willing  
18 to serve. But I may not be able to make all of the  
19 meetings.

20 COUNCIL MEMBER KEMPER: Do you have a -- do  
21 you have any grazing interests in your district, in  
22 your area?

23 COUNCIL MEMBER MC QUISTON: I believe the  
24 answer to that is yes --

25 MS. OVIATT: The answer is yes.

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1 COUNCIL MEMBER MC QUISTON: -- emphatically.

2 Either myself, or I can provide someone to do that.

3 I mean, I am interested in doing it. But I am -- I

4 do have a question on the time commitments.

5 COUNCIL MEMBER KEMPER: Okay. And then as

6 far as outside, you know, groups, we will try to pull

7 anybody in that has an interest in the procedural --

8 we are not discussing here rates of grazing or

9 whether or not we will graze, just the policies and

10 procedures for setting up consultation, what

11 consultation consists of. Okay.

12 COUNCIL MEMBER MC QUISTON: I think

13 Lorelei's workload may be going up.

14 MR. MATTHEWS: Greg doesn't have anything

15 to do.

16 COUNCIL MEMBER SMITH: It may be that I

17 don't fully understand the scope of what you are

18 looking for. But I know Bob Ellis was a very vocal,

19 thoughtful person on the grazing TRT, is no longer

20 serving in that role.

21 It would be good, I think -- almost always

22 when we are in sensitive issues to have somebody

23 that's formerly from the environmental community that

24 gets involved. That's just my thinking.

25 COUNCIL MEMBER KEMPER: When Bob was

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1 involved, it had to do with rangeland health  
2 standards. What we are talking about is setting up a  
3 policy by which when the BLM needs to consult with a  
4 rancher.

5 Is that something you want to be involved  
6 in, Carol?

7 COUNCIL MEMBER WILEY: No, I don't.

8 COUNCIL MEMBER KEMPER: Okay. Any other  
9 comment? Any more discussion about items that should  
10 be on the agenda?

11 DISTRICT MANAGER HANSEN: Mr. Chairman.

12 COUNCIL MEMBER KEMPER: Linda Hansen.

13 DISTRICT MANAGER HANSEN: If I could then  
14 please clarify the members, the remaining members of  
15 your grazing TRT? Would they include yourself, Paul  
16 Smith, Bill Betterly, Jon McQuiston, and --

17 COUNCIL MEMBER KEMPER: That's it.

18 DISTRICT MANAGER HANSEN: That's it.

19 COUNCIL MEMBER KEMPER: Now, let me say to  
20 you and to the rest of the council that if the TRT  
21 should enter into an area where we feel like -- or  
22 the environmental community wants to involve  
23 themselves, we are certainly happy to have them.

24 If we get into an area where the tribal  
25 interests want to be represented, you know, certainly

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1 happy to have them. We are happy to have anybody on  
2 these TRTs that want to participate. I just didn't  
3 want to require the time of somebody that didn't  
4 have -- have to do with their particular area.

5 Any other comment?

6 Any other items for today's meeting?

7 COUNCIL MEMBER CHARLTON: Have we decided  
8 where we are going to meet? Did you just assume --

9 COUNCIL MEMBER BETTERLY: April 1st and  
10 2nd.

11 COUNCIL MEMBER KEMPER: April meeting in  
12 Barstow.

13 COUNCIL MEMBER CHARLTON: We decided that.

14 COUNCIL MEMBER KEMPER: We already have  
15 a -- we already have a date. So that I think it was  
16 agreed on Barstow.

17 Is that agreeable with you, Doran? Is that  
18 a problem, Barstow?

19 MR. SANCHEZ: It's the council's pleasure.  
20 Works for me.

21 COUNCIL MEMBER KEMPER: Gerry Hillier.

22 MR. HILLIER: Thank you, Mr. Chairman.

23 I thought you were going to ask for public  
24 comments before you wrapped up the agenda topics  
25 there for the upcoming meeting there. And I wanted



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1 to offer one other item if I could, please.

2 COUNCIL MEMBER KEMPER: Please.

3 MR. HILLIER: Take off my San Bernardino  
4 County hat and put on my Quadstate Coalition hat for  
5 a moment.

6 I was surprised, I guess, at the agenda  
7 today. There has been quite a little bit going on in  
8 the desert tortoise world. And I was surprised that  
9 there was no inclusion of that in the agenda today.  
10 And I would like to offer a suggestion that you  
11 include an update.

12 Several things have happened. Bill Presch  
13 mentioned during his opening comments that the Fish  
14 and Wildlife Service had issued the Desert Tortoise  
15 Recovery Plan Assessment Committee report. And  
16 that's a fairly monumental volume of some almost 300  
17 pages of materials.

18 Whether they accomplished the goals they  
19 set out to do or not is really -- that probably is  
20 subject to debate. But as Bill pointed out, there is  
21 an awful lot of data and information there and some  
22 proposals relative to desert tortoise management.

23 It's extremely important relative to the  
24 fact that desert tortoise issues, management, and the  
25 recovery plan, have played very heavily in most of

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1 the controversial actions that have come before this  
2 council over the last decade, and probably will  
3 continue to do so.

4 With the issuance of the assessment report,  
5 the Fish and Wildlife Service issued a letter on  
6 December 23rd to all the stakeholders, including  
7 county governments, that they had established a  
8 formal desert tortoise recovery office, headquartered  
9 in Reno. And they announced a selection of a  
10 gentleman that you probably will hear from in the  
11 future, Roy Avril Murray. They hired him away from  
12 Arizona Game and Fish Department.

13 And he will head up that office. Part of  
14 the charge of Roy will be to organize regional work  
15 groups, one of which will be in California, under the  
16 purview of the Desert Managers Group. Steve  
17 Thompson, the director for Fish and Wildlife Service,  
18 has insisted that this includes stakeholder  
19 involvement. The extent to that has yet to be  
20 determined.

21 But I raise the issue because I think this  
22 council probably individually and collectively will  
23 have an interest in that ongoing dialogue and  
24 discussion and will want to be involved.

25 The case was laid out at the Needles

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1 meeting for county government involvement in the  
2 Desert Managers Group. And I think it's illustrative  
3 of the agenda coming up next week at the Desert  
4 Managers Group that stakeholder involvement will be  
5 in the closed session of the Desert Managers Group  
6 and not in the public session of the Desert Managers  
7 Group.

8 But at any rate, the managers are going to  
9 address how stakeholders are going to be involved in  
10 this ongoing review of the recovery plan.

11 And I think it's a critical issue. And  
12 it's one there that certainly, if nothing else, an  
13 update on the desert tortoise recovery plan review  
14 needs to be incorporated in the April meeting.

15 And part of that, obviously, will then flow  
16 probably in the ensuing year. There is: How any  
17 amendment or revision of that recovery plan then will  
18 play back against the land use plans that have --  
19 like WEMO, NECO and NEMO, that have been adopted,  
20 which have been driven by desert tortoise recovery.

21 And so -- and part of the work group  
22 responsibility is going to be to get people together  
23 and try to determine by consensus some immediate  
24 actions that could be taken for desert tortoise  
25 recovery. And that's going to be, I think, much more

1 contentious than what Fish and Wildlife anticipates,  
2 being that the assessment committee report says there  
3 has been no efforts to monitoring of anything that's  
4 been done over the last 11 years since -- not  
5 11 years, 14 years, since desert tortoise listing.

6 So there is a lot of things going on in the  
7 desert tortoise world. And I am surprised they  
8 weren't included here. And I would urge you to  
9 include an update of those at your April meeting.

10 COUNCIL MEMBER KEMPER: Thank you, Gerry.

11 Linda, we are going to have a pretty busy  
12 meeting in Barstow, I think. Do you have any problem  
13 giving us -- having an update available for us?

14 DISTRICT MANAGER HANSEN: If the council  
15 would like such an update, I would be glad to provide  
16 that to you, probably through the participation of  
17 members of the Fish and Wildlife Services staff and  
18 recovery office. I will contact them and see if they  
19 would be willing to provide that to you in April.

20 Also, if Dr. Presch would like to work with  
21 us on putting that together, I would be glad to also  
22 work with him on doing that. I think that that would  
23 be a good coordination effort.

24 COUNCIL MEMBER KEMPER: Jon McQuiston.

25 COUNCIL MEMBER PRESCH: I would be

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1 delighted to.

2 COUNCIL MEMBER MC QUISTON: Related to  
3 this, the recovery plan of the desert tortoise is  
4 somewhat the linchpin of much of what we discuss, if  
5 not virtually all of it. And with this new office  
6 being formed and this effort revisiting that, I  
7 believe there ought to be a routine update to this  
8 council, no less than, you know, twice a year or so,  
9 from the appropriate group or organization of what  
10 the status of that is and how it's evolving.

11 Because it's going to take place over a  
12 period of time. But it drives, I mean, literally  
13 drives, most of our discussion. And this  
14 revalidation, review, or whatever it may encompass,  
15 is extremely relevant to our purpose. And I believe  
16 that this is going to be ongoing for the foreseeable  
17 future.

18 And we, Desert Advisory Council, should be  
19 provided ongoing briefings of the status of that  
20 review by the appropriate agency or group.

21 COUNCIL MEMBER KEMPER: Howard?

22 COUNCIL MEMBER BROWN: I agree with what  
23 Jon McQuiston just said.

24 COUNCIL MEMBER KEMPER: And, Bill, you are  
25 in agreement?

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1 COUNCIL MEMBER BETTERLY: I am.

2 COUNCIL MEMBER KEMPER: And David?

3 Would you like to see an update on the

4 Desert Tortoise Recovery Plan?

5 COUNCIL MEMBER CHARLTON: Yes.

6 COUNCIL MEMBER KEMPER: Paul?

7 I am trying to get a consensus here, I

8 guess, without having a motion.

9 COUNCIL MEMBER SMITH: The answer is yes.

10 COUNCIL MEMBER KEMPER: Carol?

11 COUNCIL MEMBER WILEY: I would agree.

12 COUNCIL MEMBER KEMPER: Jim?

13 COUNCIL MEMBER BUGERA: Sure.

14 COUNCIL MEMBER KEMPER: Ron?

15 COUNCIL MEMBER SCHILLER: (Nodding.)

16 COUNCIL MEMBER KEMPER: Okay. That will be

17 included on April's agenda.

18 I did see one or two hands raising in the

19 audience. Please come forward. State your name for

20 the court reporter.

21 MR. STEWART: John Stewart, California

22 Association of Four-Wheel Drive Clubs.

23 One of the issues that is pending is the

24 Omnibus Reconciliation Act that funded the federal

25 agencies for this current fiscal year, extended the

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1 fee demo program for an additional ten years. Right  
2 now, the fee demo program is run through the Barstow  
3 office at Dumont Dunes and also through the Imperial  
4 Field Office at Imperial Sand Dunes.

5 I guess one of the issues from the  
6 reparation perspective I would like to see on the  
7 agenda is: Under this Omnibus Reconciliation Bill  
8 and the changes to the fee demo program, will there  
9 be any changes to the existing fee demo programs that  
10 are in place right now that will have to be -- well,  
11 any mandates that will have to change the structure  
12 of the programs in existence right now?

13 And is there -- and I know one of the  
14 things that the omnibus bill required was that a  
15 citizens' advisory council be established in order to  
16 review or work with the agencies and the public at  
17 implementing the fee demos. And, I am letting you  
18 know, we are very interested in seeing what the  
19 intent of the desert district is in carrying forward  
20 for implementing the new fee demo regulations.

21 COUNCIL MEMBER KEMPER: Linda.

22 DISTRICT MANAGER HANSEN: To respond just  
23 briefly, John, to your question, we don't anticipate  
24 any immediate changes to the fee process that we are  
25 under right now. The omnibus bill did not seem to

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1 change that.

2 But as you brought up, the requirement for  
3 having an advisory group work in each of these fee  
4 demo areas, is that currently, of course, we have a  
5 group, a TRT, that works with the Imperial Sand Dunes  
6 Recreation Area that was chartered by this group, as  
7 well. And we anticipate that that group will  
8 probably meet that criteria. But we are taking a  
9 look at it.

10 And it's unfortunately -- unfortunate that  
11 Roxie Trost is not here today. Because one of the  
12 things that she will be coming back to the -- back to  
13 the DAC about will be their plans for incorporating a  
14 citizen advisory group or a TRT type group to work  
15 with them in Dumont Dunes.

16 And, as you know, they have been checking  
17 into that, working on that, with various individuals  
18 over the past months since that went into place. So  
19 be glad to, in April, you know, bring you up to speed  
20 on that.

21 Again, I think it's unfortunate Roxie  
22 wasn't here to do that with you. But we will  
23 certainly be able to put that back on your agenda.

24 MR. STEWART: Thank you.

25 DISTRICT MANAGER HANSEN: If the advisory



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1 council should wish.

2 COUNCIL MEMBER KEMPER: Okay. Any more  
3 talk about the April meeting? Other items you want  
4 to discuss?

5 Okay. This is the time that we will take  
6 our public comment.

7 And we only have one slip at this time.

8 David Matthews.

9 PUBLIC COMMENT

10 MR. MATTHEWS: David Matthews representing  
11 the general public. And I am a resident of  
12 Ridgecrest.

13 My comments are actually kind of mixed.  
14 Some are on the agenda, and some are not.

15 So the one thing I wanted to do is -- was  
16 touch on a comment this morning that Mr. Brown made  
17 about the public -- the rest stop on I-15 and the  
18 mining display. I think that suggestion is very  
19 good.

20 I don't think that a lot of the public  
21 realizes some of the natural resources that actually  
22 go into manufacturing and the everyday living. And I  
23 would suggest that perhaps -- I think they are called  
24 Searles Valley Chemical, or whatever they are over  
25 here in Trona, has had for a number of years a

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1 similar display which they have available for the  
2 public. And maybe reviewing that would be helpful in  
3 implementing that particular display that we put up  
4 at the rest stop.

5       One other thing that took place yesterday,  
6 which nobody has mentioned this morning, was the  
7 presentation at Jawbone station. I think everybody  
8 thoroughly enjoyed the education program we got  
9 yesterday. And I want to thank Robin, I think her  
10 name was, and everybody that was involved in putting  
11 that together.

12       I wanted to ask a question. So I will ask  
13 it at this time. Hopefully maybe get ahold of Robin  
14 or Mr. Waldheim or whoever. I was curious as to who  
15 made those animals that accompanied her in the  
16 presentation, and where they actually got the sounds  
17 into those little critters? I thought it was  
18 delightful.

19       One other thing that was discussed a little  
20 bit yesterday, brought up by Ron Schiller, is the  
21 maintenance of roads. And I think -- there is a  
22 saying that "Out of sight, out of mind." And I think  
23 in the case of a lot of our desert roads, that's  
24 exactly what's happening.

25       In the particular cases that Ron was

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1 citing, those -- that deterioration was not due to  
2 everyday use. They occurred in an emergency  
3 situation. And if this had been in an urban area  
4 where a road got washed out or the public was highly  
5 involved in losses, that there would be some kind of  
6 a federal emergency management team in there right  
7 away helping to get that -- those structures or those  
8 roads restored. And I think that's what needs to be  
9 done in our public lands in the desert and in the  
10 parks.

11       There needs to be some kind of an emergency  
12 management fund or team which is available to come in  
13 and help restore these roads that are washed out or  
14 blown out or whatever, you know, by things other than  
15 just everyday use. I don't see them as an ordinary,  
16 you know, operation and maintenance type  
17 rehabilitation.

18       The Adopt-A-Cabin Program has been  
19 discussed a number of times. I am thoroughly in  
20 favor of it. Mr. Stewart mentioned earlier that he  
21 thought maybe it would be something actually got to  
22 be -- go to the national level.

23       I am a little hesitant when it comes to  
24 really pushing it up too high. Because then you get  
25 into the situation where the policies are dictated by

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1 the national level. And you get competition between  
2 this state and that state and the other thing.

3 I prefer if it's at all possible to keep it  
4 in the Field Office realms. Because there, you know,  
5 you have got the sense of local control. The people  
6 that are actually there using them understand the  
7 problems and are able to go ahead and work with them.

8 One other thing that these cabins do serve,  
9 which nobody has seemed to mention so far, is that  
10 they can serve as emergency shelters. And as you all  
11 know and had a little taste of yesterday, the weather  
12 in the outdoors is not always predictable. And if  
13 somebody is out and caught, gets a change of weather,  
14 and they can't get back, and these structures are  
15 there, then they can serve as an emergency shelter.

16 Let me see here. Okay, I think that's  
17 mostly what I wanted to cover. But if this meeting  
18 adjourns before lunch, I think it's going to be the  
19 shortest DAC meeting on record.

20 COUNCIL MEMBER KEMPER: Thank you,  
21 Mr. Matthews.

22 COUNCIL MEMBER BETTERLY: Mr. Chairman,  
23 Bill Betterly.

24 I believe the gentleman was in error when  
25 he said I-15. It's I-40 that that center that --

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1 Howard talked about.

2 COUNCIL MEMBER PRESCH: I-15.

3 COUNCIL MEMBER BETTERLY: I-15? There is

4 two of them then instead of just one? Oh, very good.

5 I stand corrected.

6 COUNCIL MEMBER KEMPER: Mr. Bosfeer

7 (phonetic)? Marie, I'm sorry.

8 MS. BRASHEAR: Marie Brashear.

9 B-r-a-s-h-e-a-r.

10 COUNCIL MEMBER KEMPER: Hi, Marie.

11 MS. BRASHEAR: Hi. I wanted to complement

12 you on an earlier action that you took with respect

13 to the road access to his research station. I have

14 had an opportunity in the last three months to meet

15 with a number of individuals from various colleges

16 and universities in our state.

17 And without exception, they have told me

18 that since the passage of the California Desert

19 Protection Act, they no longer have research projects

20 in these Mojave or in Death Valley or in Joshua Tree.

21 They cannot even get wash permits. They can't get --

22 they aren't allowed to do the research and carry on

23 the research that went on for, in some instances, 30

24 and 40 years.

25 The reason I bring the issue up is that I

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1 expect if it hasn't already happened, it will be  
2 happening, that these colleges are now going to look  
3 to BLM to have set aside additional lands that can be  
4 used for scientific study and research.

5 And so you might just flag that as a note.

6 And the reason being is that the National Park  
7 Service is being totally uncooperative with the  
8 educational institutions of our state. Thank you.

9 COUNCIL MEMBER KEMPER: Thank you, Marie.

10 John Stewart.

11 MR. STEWART: John Stewart, California  
12 Association of Four-Wheel-Drive Clubs.

13 I would like to address an issue of -- it's  
14 always a contentious and ongoing issue -- that being  
15 route inventory designation. We are still looking at  
16 really to find a process somewhere that kind of  
17 carries on the route inventory that was started under  
18 some of the WEMO studies here, and trying to make  
19 sure that the inventories in the areas that have not  
20 been inventoried are actually looked at and the  
21 routes inventoried, and coming up with process when  
22 this is said and done, that we have a way to keep an  
23 ongoing inventory of routes and keep it updated that  
24 is not overly burdensome, that just results in the  
25 eventual lack of access to various routes in the

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1 desert.

2 I guess the real issue here is, within the  
3 route inventory that was started, we would like to  
4 see it completed. And we would like to see a way to  
5 add routes that have been missed in the previous  
6 inventories added back in, so they can be considered  
7 and worked out as part of a valid recreational access  
8 route system within the desert areas.

9 Many of these routes have some historical  
10 significance going to old mining claims. And, like  
11 we are finding in some of the problems that have  
12 occurred with flooding, flooding will wash out some  
13 areas. And having an alternate route into those  
14 areas is really desirable. And this is something we  
15 would really like to see worked on.

16 COUNCIL MEMBER KEMPER: Linda, do you want  
17 to take a minute and address that, as far as updating  
18 where you are at, where your team is working on?

19 DISTRICT MANAGER HANSEN: Well, as part of  
20 the West Mojave planning effort, as you mentioned,  
21 John, we sort of peeled out some specific areas that  
22 we felt needed additional or the public felt needed  
23 additional attention, in terms of their inventory of  
24 the routes and making sure that we had a more  
25 complete picture of what was there and how it was

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1 used.

2 And yesterday -- and you were there -- we  
3 talked a little bit about what might have not been  
4 looked at in connection with the existing route  
5 network. I think the bureau is going to be open  
6 continuously from now on to having public input into  
7 that process.

8 But I -- but we don't have one that is  
9 specifically defined for that right now. So I take  
10 your comment to heart. I know we have talked about  
11 it before in other OHV leadership group settings and  
12 so on.

13 I would like to see us perhaps find a way  
14 to do a continuing inventory, to be able to add  
15 additional data and information into the database as  
16 it's made available. But I think there needs to be  
17 some practical and, you know, reasonable way of doing  
18 that. And so -- I think we need to do that. We just  
19 haven't designed that yet.

20 But, certainly, I know you have an interest  
21 in that, Cal Four-Wheel Drive as well as other  
22 off-highway vehicle and other recreation groups --

23 COUNCIL MEMBER SCHILLER: Thank you.

24 DISTRICT MANAGER HANSEN: -- Who would like  
25 to find their way out to the desert.



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1           It's on our radar screen. It just hasn't  
2   been finalized yet, I guess. I think we are just  
3   trying to get through with what we have got on our  
4   plate right now, in terms of route designation.

5           But I think the El Pasos is a good  
6   opportunity to, you know, to take a look at that.  
7   It's upcoming. Maybe there is a way to divine a  
8   system that would be, you know, ongoing from now on.  
9   So thank you for the comment, though.

10          COUNCIL MEMBER KEMPER: One of the things  
11   that I would like to bring to the audience's  
12   attention was something that I hadn't thought about  
13   yesterday. And when we got our information, it was  
14   kind of interesting. Because we were talking about  
15   areas where -- spur roads and things in areas where  
16   people went.

17          There was also, from a risk management  
18   standpoint, the agency standpoint, situations where  
19   they absolutely wanted those spurs closed, because  
20   they had dangerous situations at the end of the road.  
21   And, you know, point in fact, we have lost a  
22   motorcycle down a mine shaft, and a motorcyclist has  
23   lost his life.

24          So oftentimes, those areas for off-road  
25   enthusiasts of whatever type become magnets. They

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1 are drawn there. And, of course, the agency, from a  
2 risk management standpoint, the more dangerous sites,  
3 they are trying to direct you away from them.

4 But yet the scar on the mountain is still  
5 there. And people want to get there. Just keep in  
6 mind that oftentimes, when it doesn't appear you can  
7 get to some place, it might be for your own safety.

8 Any other questions or comments?

9 COUNCIL MEMBER PRESCH: Can I make a  
10 comment?

11 COUNCIL MEMBER KEMPER: Yes, Bill.

12 COUNCIL MEMBER PRESCH: Yes. I would like  
13 to respond to Maria's, is it, comment about the  
14 educational activity?

15 You are quite correct. The Park Service  
16 has become modernized. And they have moved all of  
17 their permitting processes to the web page  
18 electronically. And the reason for this is to -- for  
19 the park services to build a national database on  
20 users. And I applaud that idea.

21 Unfortunately, there are some bugs in the  
22 system. And one of those is the procedure by which  
23 the electronic permit process is established at each  
24 particular park. And in the preserve -- and I can  
25 speak to that, since I am within the preserve,

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1 it's -- it seems to be somewhat cumbersome.

2       And the time frame for the permit can run  
3 from two to six months or more, really depending on  
4 who you know. And so we have tried to help our  
5 users, those who come to the center, with that  
6 permitting process.

7       But we have also, at the center, and myself  
8 included, have spent a lot more time driving around  
9 the BLM land looking for appropriate sites that mimic  
10 what you would see in the preserve, as -- one of the  
11 reasons for rejecting permits in the park, in the  
12 national park system, is that if the research can be  
13 done outside of the park boundary, they would prefer  
14 to have it done elsewhere, as opposed to in the park  
15 itself.

16       And so we have been trying to locate  
17 habitat, environmental areas, which we can recommend  
18 to users who are not able to either go through the  
19 permit process or for some reason have not received  
20 their permit in time.

21       And so we have done that. And we have been  
22 working both with users, universities, researchers.  
23 We have even been helping U.S.G.S. figure out where  
24 to go to help alleviate this particular problem.

25       It is a problem. And I understand your

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1 frustration and the other people's frustration. But  
2 we are trying to figure out ways around that, where  
3 the back doors are, and how we can streamline that  
4 whole process with the Park Service. Thank you for  
5 your comment.

6 COUNCIL MEMBER KEMPER: Any other comments  
7 from members of the council?

8 Is there anybody in the public section of  
9 the room that would like to get up and say anything?

10 Yes. Doran.

11 MR. SANCHEZ: I will try to do it from  
12 here. On behalf of Randy Reister, he wishes his --  
13 to express his appreciation for his time on the  
14 council. Randy retired in December. He was unable  
15 to attend the October meeting, because he was  
16 recovering from a life-threatening situation. He was  
17 doing very well, but wanted to tell you how much he  
18 has appreciated working with all of you, and wishes  
19 the council the best.

20 COUNCIL MEMBER KEMPER: Thank you, Doran.

21 Okay. The meeting is adjourned.

22 (The meeting was adjourned at 10:40 a.m.)

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1 STATE OF CALIFORNIA )

2 )

3 COUNTY OF KERN )

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6 I, Diana S. Zissos, hereby certify that I,

7 as Official Reporter, Kern County Superior Court, was

8 present and took down correctly in stenotype, to the

9 best of my ability, all the testimony and proceedings

10 in the foregoing-entitled matter; and I further

11 certify that the annexed and foregoing is a full,

12 true, and correct statement of such testimony.

13 Dated at Ridgecrest, California, on

14 January 21, 2005.

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Official Reporter, CSR #10030